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FAREWELL ADDRESS

1837

To the Senate and House of Representatives. –

I have been informed by a joint committee of Congress that the business of the present Session is closed, and you are ready to adjourn if no further communications are to be made on my part.

In reply it affords me pleasure to observe that the Executive has no further official business to communicate to Congress. – But considering this day as terminating my official relations with the American people, and that during my administration many agitating questions have arisen in respect to which my opinions have been often misunderstood and sometimes misrepresented, I therefore seize this occasion as a fit one to tender to each member of Congress my best wishes for their individual happiness in this world and a happy immortality. ~~in the next also~~ since to request that a Farewell address to my Fellow Citizens of these united States, herewith transmitted, may be given to them through the Congress of the united States, as my last and perhaps, my best legacy. –

Corsaw

Fellow Citizens.

Being about to retire finally from public life, I beg leave to offer you my grateful thanks for the many proofs of kindness and confidence which I have received at your hands. It has been my [illegible] in the discharge of public duties, civil and military, frequently to have found myself in difficult and trying situations where prompt decision and energetic action were necessary; and where the interest of the country required that high responsibilities should be fearlessly encountered. And it is with the deepest emotions of gratitude that I acknowledge the continued and unbroken confidence with which you have sustained me in every trial. My public life has been a long one, and I cannot hope that it has at all times been free from errors. But I have the consolation of knowing that if mistakes have been committed, they have not seriously injured the country, I ~~desired~~ so anxiously endeavoured to serve; and at the moment when I surrender my last public trust, I leave this great people prosperous and happy, — in the full enjoyment of liberty, and peace, and honored and respected by every nation of the world.

If my humble efforts have in any degree contributed to preserve to you these blessings, I have

been

been more than rewarded, by the honors you have heaped upon me; and above all by the generous confidence with which you have supported me in every peril; and with which you have continued to animate and cheer my path to the closing hour of my political life. The time has now come when advanced age and a broken frame warn me to retire from public concerns; but the recollection of the many favors you have bestowed upon me, is engraven upon my heart, and I have felt that I could not part from your service without making this public acknowledgement of the gratitude I owe you. And if I use the occasion to offer to you the counsels of age and experience, you will I trust receive them with the same indulgent kindness, which you have so often extended to me; and will at least see in them an earnest desire to perpetuate in this favored land the blessings of liberty, and equal Laws.

same

We have now lived almost fifty years under the Constitution framed by the sages and patriots of the Revolution. The conflicts in which the Nations of Europe were engaged during a great part of this period; the spirit in which they waged war against each other; and our intimate commercial connections with every part of the civilized world, rendered it a time of much difficulty for the Government

of the

of the United States. We have had our seasons
of peace and of war, with all the evils which precede
or follow a state of hostility with powerful nations.
We encountered these trials with our constitution yet
in its infancy, and under the disadvantages which
a new and untried government must always
feel, when it is called upon to put forth its whole
strength without the lights of experience to guide
it, or the weight of precedent to justify its meas-
ures. But we have passed triumphantly through
all these difficulties. Our Constitution is no
longer a doubtful experiment; and at the end
of nearly half a century we find that it has
preserved unimpaired the liberties of the people,
secured the rights of property, and that our Country
has improved and is flourishing beyond any
former example in the history of Nations. Every
portion of the United States participates in these
blessings; (xxx) Here insert No 1 ~~and it is no longer a question whether~~
[illegible]tes are ~~a continence happily united~~

In our domestic concerns, there is every thing to encourage us, and if you are true to yourselves nothing can impede your march to the highest point of national prosperity. The states which had so long been retarded in their improvement by the Indian Tribes residing in the midst of them are at length relieved from the evil, and this unhappy race the original dwellers in our land, are now placed in a situation where we may well hope, that they will share in the blessings of civilization and be saved from that degradation and destruction to which they were rapidly hastening while they remained in the states- and while the safety and comfort of our own citizens have been greatly promoted by their removal, the philanthropist will rejoice that the remnant of that ill fated race has been at length placed beyond the reach of injury or oppression and that the paternal care of the General Government will hereafter watch over them and protect them. ¶ If we turn to our ~~intercourse~~ relations with foreign powers we find our condition equally gratifying,- actuated by the ~~[illegible]~~ sincere desire to do justice to every nation and to preserve the blessings of peace, our intercourse has been conducted in the spirit of frankness and of friendship, and I have rejoiced to find that it has been generally met in a corresponding temper.- difficulties of old standing have been surmounted by friendly discussion and the mutual desire to be just; and the claims of our citizens which had been long withheld, have at length been acknowledged

and

4A?

The States in the South, the West, and the North West, while participating in these general blessings, common to all, have had the peculiar felicity to acquire, by the removal of the Indians, the actual possession and jurisdiction over all the territory within their limits; while the Indians themselves, in their transfer to new and permanent homes beyond the Mississippi, and beyond the white settlements, have acquired the unspeakable blessings of a ~~tranquil~~ separate, tranquil and undisturbed existence, where, with the full advantages of a fertile soil and genial climate, protected by the general government and aided by benevolent citizens, they can prosecute with the best guarantees for success, the great work of improving their social, political, moral, and intellectual condition.

B1 4B.

and our Southern, Western and Northwestern borders relieved in a great measure from those unhappy collisions which formerly took place between our citizens and the Aboriginies on those borders. - The humane policy adopted by the Government for their preservation has been and is now carrying into full effect. - The Indians have been and are removing to a country selected for them beyond the Mississippi fertile and productive where they are living in plenty and happy under their own laws and customs, - protected in their possessions and Safety, by the general Govern=ment, whilst their former residence are filled in the new States, with an industrious - moral and happy yeomanry. -

No 1

In our domestic concerns there is every thing to encourage us and if you are true to yourselves nothing can impede your march to the highest point of national prosperity. The States which had so long been retarded in their improvement by the Indian tribes residing in the midst of them are at length relieved from

and our [illegible] and the Indian [illegible] in a great measure from these unhappy [illegible] which formerly [illegible] place [illegible] our [illegible] and the [illegible] in their [illegible] - the humane policy adopted by the government for their [illegible] has been and is now carrying into full effect. The Indians have been and are removing to a country selected for them beyond the Mississippi fertile and productive where they are being [illegible] and happy under their own [illegible] - protected in their [illegible] adopted by the general govern- [illegible] their former habits are [illegible] and [illegible] and happy [illegible].

Copy of Dr - amendt paragraph of my farewell Address - The original draft A.J.

and adjusted and satisfactory arrangements made for their final payment – and with a limited and I trust a temporary exception our relations with every foreign power are now of the most friendly character, our commerce continually expanding, and our flag respected in every quarter of the World. –

These cheering and grateful prospects, and these multiplied blessings we owe, under Providence to the adoption of the Federal Constitution. It is no longer a question whether this great country can remain happily united, and flourish under our present form of Government – Experience, the unerring test of all human undertakings, has shewn the wisdom and foresight of those who formed it

~~this great experiment [illegible]~~

~~under our Federal Constitution. Experience has~~

~~shown the wisdom and foresight of those who~~

~~formed it,~~ and has proved that in the union 6

of these States there is a sure foundation for

the brightest hopes of Freedom, and for the happiness

of the people — At every hazard and by every sacri-

=fice this union must be preserved.

The necessity of watching with jealous

- anxiety

anxiety for the preservation of the union was earnestly pressed upon his Fellow Citizens by the Father of his country in his Farewell address. He has there told us that "while experience shall not have demonstrated its impracticability there will always be reason to distrust the patriotism of those who in any quarter may endeavour to weaken its bonds". And he has cautioned us in the strongest terms against the formation of parties on geographical discriminations as one of the means which might disturb our union, and to which designing men would be likely to resort.

Insert

The lessons contained in this invaluable legacy of Washington to his Countrymen should be cherished in the heart of every citizen to the latest generation. and perhaps at no period of time, could they be more usefully remembered than at the present moment. For when we look upon the scenes that are passing around us, and dwell upon the pages of his parting address, his paternal counsels would seem to be not merely the offspring of wisdom and foresight, but the voice of prophecy foretelling events and warning us of the evils to come. Forty years have passed since this imperishable document was given to his Countrymen. The Federal constitution was then regarded by him as an Experiment, and he so speaks of it in his address - but an Experiment upon the success of which the best hopes of his country depended, and we all know that he was prepared to lay down

his life

Wheat

his life if necessary to secure to it a full and a fair trial; The trial has been made. It has succeeded beyond the proudest hopes of those who framed it. Every quarter of this widely extended nation has felt its blessings and shared in the general prosperity produced by its adoption. But amid this general prosperity, and splendid success the dangers of which he warned us are becoming every day more evident, and the signs of evil are sufficiently apparent to awaken the deepest anxiety in the bosom of the patriot. We behold systematic efforts publickly made to sow the seeds of discord between different parts of the United States, and to place party divisions directly upon geographical distinctions; to excite the <u>South</u> against the <u>North</u>, and the <u>North</u> against the <u>South</u> and to force into the controversy the most delicate and exciting topics; topics upon which it is impossible that a large portion of the union can ever speak without strong emotions. — Appeals too are constantly made to sectional inter=ests in order to influence the election of the Chief Magistrate, as if it were desired that he should favour a particular quarter of the Country instead of fulfilling the duties of his station with impartial justice to all; and the possible dissolution of the union, has at length ~~in some quarters~~ become an ordinary and familiar subject of discussion [~~[illegible]~~ ~~with~~

~~with the hope that these dangerous proceedings~~
~~are sanctioned by only a few unimportant individ-~~
~~-uals, incapable of disturbing the general harmony.~~
~~On the contrary wealth and numbers and political~~
~~influence are openly engaged in these agitating~~
~~scenes.~~] Has the warning voice of Washington been
forgotten? Or have designs already been formed to
sever the Union? Let it not be supposed that
I impute to all of those who have taken an active
part in these ~~unwise and~~ unprofitable discussions a want of patriotism
or of public virtue. The honorable feeling of State
pride, and local attachments find a place in
the bosoms of the most enlightened and pure.
But while such men are conscious of their own
integrity and honesty of purpose they ought
never to forget that the Citizens of other States are
their political brethren, and that however mistaken
they may be in their views the great body of them
are equally honest and upright with themselves.
Mutual suspicions and reproaches may in time
create mutual hostility, and the last hopes
of Freedom be sacrificed from an impulse of
passion. Artful and designing men will always
be found who are ready to foment these fatal
divisions and to inflame the natural jealousies
of different sections of the country. The history
of the world is full of such examples and espe-
-cially the history of Republics. [~~Let me entreat~~
~~you therefore~~

~~you therefore, my Fellow Citizens, by every thing that is dear to you to guard with unceasing care, the sanctuary of the Union; and to look with distrust upon every one who shall be found endeavouring to create in your minds, suspicions of the patriotism and justice of other quarters of the United States. The virtue intelligence and patriotism of the great body of the people can alone preserve this union [and it should never be entrusted to the keeping of aspiring and ambitious politicians]~~ What have you to gain by division and dissention? Delude not yourselves with the belief that a breach once made may be afterwards repaired. If the Union is once severed the line of separation will grow wider and wider, and the controversies which are now debated and settled in the peaceful halls of Legislation, will then be tried in fields of battle and determined by the sword. Neither should you deceive yourselves with the hope that the first line of separation would be the permanent one, and that nothing but harmony and concord would be found in the new associations formed upon the dissolution of this union. Local interests would still be found there and unchastened ambition. And if the recollection of common dangers in which the people of these United States stood side by side =against=

against the common foe; if the memory of vic=
=tories won by their united valor; the prosperity
and happiness they have enjoyed under the present
constitution; the proud name they bear as
citizens of this great Republic ~~honored and~~
~~respected throughout the civilized world~~ if
all these recollections and proofs of common
interest are not strong enough to bind us
together as one people; what tie will
hold united the new divisions of empire
when these bonds have been broken and this
union dissevered? The first line of separation
would not last for a single generation.—
new fragments would be torn off; new leaders
would spring up; and this great and glorious
Republic would soon be broken into a
multitude of petty states, without commerce, without credit; jealous of one another; ~~jealous of one~~
armed for mutual aggression; loaded with taxes to pay armies and leaders;
~~another; armed for mutual aggression; loaded~~
~~with taxes to pay armies and leaders; without~~
~~[illegible]~~
~~commerce; without credit~~, seeking aid
against each other from foreign powers;
insulted and trampled upon by the nations
of Europe until harrassed with conflicts
and humbled and debased in spirit they would
be ready to submit to the absolute dominion
of any military adventurer, and to surrender
their liberty for the sake of repose. It is im=
=possible to look on the consequences that would
inevitably

inevitably follow the destruction of this Government and not feel indignant when we hear cold calculations about the value of the union and ~~see~~ have so constantly before us ~~[illegible]~~ a ~~[illegible]~~ line of conduct so well calculated ~~and publickly [illegible]~~ to weaken its ties.

Martin

There is too much at stake to allow pride or passion to influence your decision. never for a moment believe that the great body of the citizens of any State or States can deliberately intend to do wrong. They may under the influence of temporary excitement or misguided opinions commit mistakes. They may be misled for a time by the suggestions of self interest. But in a community so inlightened and patriotic as the people of the United States, argument will soon make them sensible of their errors, and when convinced they will be ready to repair them. If they have no higher or better motives to govern them, they will at least perceive that their own interest requires them to be just to others, as they hope to receive justice at their hands. [~~never confound the people of a whole State, with a few noisy and interested partizans who may take upon themselves to speak in their name and never forget that noisy publications and practised intriguers in different quarters of the country states may assume the outward appearance of hostility to each other,~~

~~—never [illegible]—~~

~~may seek to excite the communities in which they respectively live to mutual hate, and yet at the same time be acting in concert, and adopting these unworthy means to dissolve the union. Let your vigilance be sleepless, and your own virtue and sound judgement will secure you from danger.~~]

But in order to maintain the union unimpaired, it is absolutely necessary that the Laws passed by the constituted authorities should be faithfully executed in every part of the country, and that every good citizen should at all times stand ready to put down with the combined force of the nation, every attempt at un=lawful resistance under whatever pretext it may be made, or whatever shape it may assume. Unconstitutional or oppressive laws may no doubt be passed by Congress, either from erroneous views or the want of due consideration. If they are within the reach of judicial authority the remedy is easy and peaceful. And if from the character of the law it is an abuse of power not within the control of the Judiciary, then free discussion and calm appeals to reason and to the justice of the people will not fail to redress the wrong. But until the Law shall be declared void by the Courts, or repealed by Congress no

individual:

individual or combination of individuals ~~in the name of state authority or otherwise~~ can be justified in forcibly resisting its execution. It is impossible that any government can continue to exist upon any other principles. It would cease to be a government, and be unworthy of the name, if it had not the power to inforce the execution of its own laws within its own sphere of action.

It is true that cases may be imagined disclosing such ~~which (in a long~~ a settled purpose of usurpation ~~course of injustice)~~ and oppression on the part of the Government as would justify an appeal to arms. ~~absolve the oppressed from their allegiance and justify an appeal to arms. But the sanction of state authority would not then be necessary; the right of resistance would be perfect without it.~~ These however are extreme cases, which we have no reason to apprehend in a government where the power is in the hands of a patriotic people. And no citizen who loves his country would in any case whatever resort to forcible resistance unless he clearly saw that the time had come, when a freeman should prefer death to submission. For if such a struggle is once begun and the citizens of one section of the country arrayed in arms against those of another in doubtful conflict, let the battle result as it may there will be an end of the union, and with it an end to the hopes of Freedom. The victory of the injured would not secure to them

the blessings

the blessings of Liberty. It would avenge their wrongs, but they would themselves share in the common ruin.

But the constitution cannot be maintained, nor the union preserved in opposition to the public feeling, by the mere exertion of the coercive powers confided to the general Government. The foundations must be laid in the affections of the people - in the security it gives to life, liberty, character, and property, in every quarter of the Country - and in the fraternal attachment which the citizens of the several states bear to one another as members of one political family, mutually contributing to promote the happiness of each other. Hence the citizens of every State should studiously avoid every thing calculated to wound the sensibility or offend the just pride of the people of other states; and they should frown upon any proceedings within their own borders likely to disturb the tranquility of their political brethren in other portions of the union. In a Country so extensive as the united States, and with pursuits so varied, the internal regulations of the several states must frequently differ from one another in important particulars. - and this difference is unavoidably increased by the

by the varying principles upon which the American colonies were originally planted; principles which had taken deep root in their social relations before the Revolution, and therefore of necessity influencing their policy since they became free and independent States. But each State has the unquestionable right, to regulate its own internal concerns, according to its own pleasure; and while it does not interfere with the rights of the people of other States, or the rights of the union, every State must be the sole judge of the measures proper to secure the safety of its citizens and promote their happiness. And all efforts on the part of ~~[illegible]~~ people of other States to cast odium upon their institutions, and all measures calculated to disturb their rights of property; or to put in jeopardy their peace and internal tranquility, are in direct opposition to the spirit in which the union was formed and must endanger its safety. Motives of philanthropy may be assigned for this unwarrantable interference, and weak men, may persuade themselves for a moment that they are labouring in the cause of humanity and asserting the rights of the human race. But every one, upon sober reflection will see that nothing but mischief can come from these improper assaults upon the feelings and rights of others. –

Rest

Rest assured that the men found busy in this work of discord are not worthy of your con=fidence, and deserve your strongest reprobation;

~~[illegible]~~
~~[illegible]~~
~~[illegible]~~

Continue In the Legislation of Congress also, and in every measure of the General Government, it is of the first importance to observe the most liberal spirit of justice to every portion of the United States. No free government can stand without virtue in the people, and a lofty spirit of patriotism. and if the sordid feelings of mere selfishness shall usurp the place which ought to be filled by public spirit, the legislation of Congress will soon be converted into a scramble for personal and sectional advantages.- Enlarged and enlightened views of their own interest would teach every portion of the Union to be just to their fellow citizens in other quarters.- Under our free institutions all have advantages sufficient to enable them to obtain a high degree of prosperity and happiness without seeking to profit themselves at the expense of others; and every such attempt must in the end fail to succeed. for the people in every part of the United States are too enlightened not to understand their own rights and interests,

=and to=

and to detect and defeat every effort to gain undue advantages over them; and when such designs are discovered it naturally provokes resentments which cannot always be easily allayed. Justice, full and ample justice to every portion of the United States, should be the ruling principle of every Freeman, and should guide the deliberations of every public body whether it be State or national.

It is well known that there have always been those amongst us ~~a class of politicians~~ who wish to enlarge the powers of the general Government, and experience would seem to indicate that there is a tendency on the part of this Government to overstep the boundaries marked out for it by the constitution. Its legitimate authority is abundantly sufficient for all the purposes for which it was created; and its powers being expressly enumerated there can be no justification for claiming any thing beyond them. Every attempt to exercise power beyond these limits should be promptly and firmly opposed. For one evil example will lead to other measures still more mischievous; and if the principle of constructive powers, or supposed ~~future~~ advantages, or ~~[illegible]~~ temporary circumstances, shall ever be permitted to justify the assumption of a power

power not given by the Constitution, the General Govern=
=ment will before long absorb all the powers of Legis=
=lation, and you will have in effect but one consol=
=idated government. From the extent of our country
its diversified interests, different pursuits and
different habits, it is too obvious for argument
that a single consolidated government would
be wholly inadequate to watch over and protect
its interests; and every friend of our free institutions
should be always prepared to maintain unim=
paired and in full vigor the rights and sovereignty
of the States, and to confine the action of the
general government strictly to the sphere of its
appropriate duties. —

There is perhaps no one of the powers conferred
on the Federal government so liable to abuse
as the taxing power. The most productive and
convenient sources of revenue were necessarily
given to it, that it might be able to perform
the important duties imposed upon it. And the
taxes which it lays upon commerce being concealed
from the real payer in the price of the article, they
do not so readily attract the attention of the people
as smaller sums demanded from them directly by the
tax gatherer. But the tax imposed on goods enhances
by so much the price of the commodity to the consumer;
and as many of these duties are imposed on articles
of necessity, which are daily used by the great body of
the people,

the people, the money raised by these taxes is drawn from their pockets. Congress has no right under the constitution to take money from the people unless it is required to execute some one of the specific powers entrusted to the government, and if they raise more than is necessary for such purposes, it is an abuse of the power of Taxation and unjust and oppressive. It may indeed happen that the revenue will sometimes exceed the amount anticipated when the taxes were laid. When however this is ascertained it is easy to reduce them, and in such a case it is unquestionably the duty of the Government to reduce them, for no circumstances can justify it in assuming a power not given to it by the constitution, nor in taking away the money of the people when it is not needed for the legitimate wants of the Government.

Plain as these principles appear to be, you will yet find that there is a constant effort to induce the general government to go beyond the limits of its taxing power, and to impose unnecessary burthens upon the people. Many powerful interests are continually at work to procure heavy duties on commerce and to swell the revenue beyond the real necessities of the public service; and the Country has already felt the injurious effects of their combined influence; They succeeded in obtaining a tariff of duties

bearing

bearing most oppressively on the agricultural and labouring classes of Society and producing a revenue that could not be usefully employed within the range of the powers conferred upon Congress: And in order to fasten upon the people this unjust and unequal system of taxation, extrav-igant schemes of internal improvement were got up, in various quarters to squander the money and to purchase support. Thus one unconstitutional measure was intended to be upheld by another, and the abuse of the power of taxation was to be maintained, by usurping the power of expending the money in internal improvements. You cannot have forgotten the severe and doubtful struggle through which we passed when the Executive Department of the government, by its Veto endeavored to arrest this prodigal scheme of injustice and to bring back the legislation of Congress to the boundaries prescribed by the Constitution. The good sense and practical judgement of the people, when the subject was brought before them, sustained the course of the Executive, and this plan of unconstitutional expenditure for the purposes of corrupt influence is I trust finally overthrown.

Hermitage

The result of this decision has been felt in the rapid extinguishment of the public Debt, and the large accumulation of a surplus in the Treasury,

Treasury, notwithstanding the Tariff was reduced,
and ~~it~~ is now very far below the amount originally
contemplated by its advocates. — But rely upon
it the design to collect an extravagant revenue
and to burthen you with taxes beyond the economical
wants of the Government is not yet abandoned. —
The various interests which have combined
together to impose a heavy tariff, and to produce
an overflowing Treasury are too strong and
have too much at stake to surrender the
contest. — The corporations and wealthy ~~manu~~=
individuals who are engaged in large manu=
=facturing establishments desire a high Tariff
to increase their gains. — ~~It is designing men~~
~~[illegible]~~ Designing politicians will support it to
conciliate their favor and to obtain the means
of profuse expenditure for the purpose of
purchasing influence in other quarters;
And since the people have decided that
the Federal Government cannot be permitted
to employ its income, in internal improvements,
efforts will be made to seduce and mislead the
citizens of the several States, by holding out to
them the deceitful prospect of advantages to
be derived from a surplus revenue collected
by the general government and annually
divided among the States. — And if encouraged
by these fallacious hopes, the States should
disregard

23

disregard the principles of economy which ought to characterize every Republican government; and should indulge in lavish expenditures ex=ceeding their resources, they will before long find themselves oppressed with debts which they are unable to pay, and the temptation will become irresistable to support a high tariff in order to obtain a surplus for distribution.- Do not allow yourselves my Fellow citizens to be misled on this subject.- The Federal government cannot collect a surplus for such purposes without violating the principles of the constitution, and assuming powers which have not been granted.- It is moreover a system of injustice, and if persisted in will inevitably lead to corruption and must end in ruin.- The surplus revenue will be drawn from the pockets of the people; from the Farmer, the Mechanic and the Labouring classes of society.- But who will receive it when distributed among the States where it is to be disposed of by leading State politicians, who have friends to favor and political partizans to gratify? It will certainly not be returned to those who paid it, and who have most need of it, and are honestly entitled to it.- There is but one safe rule and that is to confine the General Government

=rigidly=

+ But the establishment of a national Bank by Congress with the privilege of issuing paper money receivable in the payment of the public dues, and the unfortunate course of Legislation in the several States upon the same subject, drove from general circulation the constitutional currency and substituted one of paper in its place.

rigidly within the sphere of its appropriate duties.— It has no power to raise a revenue or impose taxes except for the purposes enumer=ated in the constitution ~~to pay its debts and provide for the common defence~~;— and if its income is found to exceed these wants, it should be forthwith reduced, and the burthens of the people so far lightened.—

In reviewing the conflicts which have taken place between different interests in the United States, and the policy pursued since the adoption of our present form of government we ~~can~~ find nothing that has produced such deep seated evil, as the course of legislation in relation to the currency.— The constitution of the United States unquestionably intended to secure to the people a circulating medium of gold and silver.— ~~[But the legislation of Congress has continually tended to introduce in its stead a currency of paper, and the same influence which governed the deliberations of Congress, being also felt in the several States, the combined exposure of the measures adopted by the General Government and the States, at length drove from circulation the constitutional currency and substituted one of paper in its place.]~~

It was not easy for men engaged in the ordinary pursuits of business, whose attention had not been particularly drawn to the subject to foresee all the consequences of a currency exclusively of paper; and we ought not on that account to be surprised at the

at the facility with which laws were obtained to carry into effect the paper system. Honest and even enlightened men are sometimes misled by the specious and plausible statements of the designing. But experience has now proved the mischiefs and dangers of a paper currency, and it rests with you to determine whether the proper remedy shall be applied.

Hamlin

The paper system being founded on public confidence and having of itself no intrinsic value, it is liable to great and sudden fluctuations, thereby rendering property insecure and the wages of labour unsteady and uncertain. The corporations who manufacture the paper money ~~have no motive to keep~~ cannot be ~~safely~~ relied upon to keep the circulating medium uniform in amount. In times of prosperity when confidence is high, they are tempted by the prospect of gain, or by the influence of those who hope to profit by it, to extend their issues of paper, beyond the bounds of discretion and the reasonable demands of business. And when these issues have been pushed on from day to day, until public confidence is at length shaken, then a reaction takes place, and they immediately withdraw the credits they have given; suddenly curtail their issues; and produce an unexpected and ruinous contraction of the circulating medium which is felt by the whole community. The Banks by this means save themselves, and the mischievous consequences of their imprudence or cupidity

are

are visited upon the public. Nor does the evil stop here, these ebbs and flows in the currency and these indiscreet extensions of credit naturally engender a spirit of speculation injurious to the habits and character of the people. We have already seen its effects in the wild spirit of speculation in the public lands and various kinds of stock which within the last year or two seized upon such a multitude of our citizens; and threatened to pervade all classes of society, and to withdraw their attention from the sober pursuits of honest industry. It is not by encouraging this spirit that we shall best preserve public virtue and promote the true interests of our country. But if your currency continues as exclusively paper as it now is, it will foster this eager desire to amass wealth without labour; it will multiply the number of dependents on Bank accommodations and Bank favors. the temptations to obtain money at any sacrifice will become stronger and stronger and inevitably lead to corruption which will find its way into your public councils, and destroy at no distant day the purity of your government. Some of the evils which arise from this system of paper press with peculiar hardship upon the class of society least able to bear it. A portion of this currency frequently becomes depreciated or worthless,

and

and all of it is easily counterfeited, in such a manner as to require peculiar skill and much experience to distinguish the counterfeit from the genuine note. These frauds are most generally perpetrated in the smaller notes, which are used in the daily trans=actions of ordinary business; and the losses occasioned by them, are commonly thrown upon the Labouring classes of society; whose situation and pursuits put it out of their power to guard themselves from these impositions, and whose daily wages are necessary for their subsistence. It is the duty of every Government so to regulate its currency as to protect this numerous class as far as practicable from the impositions of avarice and fraud. It is more especially the duty of the United States where the Government is emphatically the government of the people and where this numerous and respectable portion of our citizens are so proudly distinguished from the Labouring classes of all other nations by their independent spirit, their love of liberty, their intelligence, and their high tone of moral character. Their industry in peace is the source of our wealth, and their ~~bravery~~ bravery in war has covered us with glory, and the Government of the United States will but ill discharge its duties, if it leaves them a prey to such dishonest impositions. Yet it is evident that their interests cannot be effectually protected unless silver and gold are

=restored=

restored to circulation.

These views alone of the paper currency are sufficient to call for immediate reform. But there is another consideration which should still more strongly press it upon your attention.

Recent events have proved that the paper money system of this country may be used as an engine to undermine your free institutions and that those who desire to engross all power in the hands of the few and to govern by corruption or force are aware of its power and prepared to employ it. Your Banks now furnish your only circulating medium, and money is plenty or scarce according to the quantity of notes issued by them. While they have capitals not greatly disproportioned to each other, they are competitors in business, and no one of them can exercise dominion over the rest; and although in the present state of the currency these Banks may and do operate injuriously upon the habits of business, the pecuniary concerns and the moral tone of society, yet from their number and dispersed situation they cannot combine for the purposes of political influence; and whatever may be the dispositions of some of them, their power of mischief must necessarily be confined to a narrow space, and felt only in their immediate neighbourhoods.

But

Rich

But when the charter for the Bank of the United States was obtained from Congress, it perfected the schemes of the paper system, and gave to its advocates the position they have struggled to obtain, from the commencement of the Federal Government down to the present hour. The immense capital and peculiar privileges bestowed upon it, enabled it to exercise despotic sway over the other Banks in every part of the Country. From its superior strength, it could seriously injure if not destroy the business of any one of them which might incur its resentment; and it openly claimed for itself the power of regulating the currency throughout the United States. In other words it asserted (and it undoubtedly possessed) the power to make money plenty or scarce at its pleasure, at any time and in any quarter of the Union, by controlling the issues of other Banks, and permitting an expansion or compelling a general contraction of the circulating medium according to its own will. The other Banking institutions were sensible of its strength, and they soon generally became its obedient instruments, ready at all times to execute its mandates; and with the Banks necessarily went also that numerous class of persons in our commercial cities, who depend altogether on Bank credits for their solvency and means of business, and who are therefore obliged for their own safety to propitiate the favor of the money power,

by

by distinguished zeal and devotion in its service. ~~one~~ The result of the ill advised legislation which established this great monopoly was to concentrate the whole monoyed power of the union, with its boundless means of corruption, and its numerous dependents under the direction and command of one acknowledged head; thus organizing this particular interest as one body and securing to it unity and concert of action throughout the United States, and enabling it to bring forward, upon any occasion, its entire and undivided strength, to support or defeat any measure of the government. ~~And~~ In the hands of this formidable power thus perfectly organized was also placed unlimited dominion over the amount of the circulating medium — giving it the power to regulate the value of property and the fruits of labour in every quarter of the union — and to bestow prosperity or bring ruin upon any city or section of the country as might best comport with ~~their~~ its own interest or policy.

We are not left to conjecture how the monyed power thus organized and with such a weapon in its hands would be likely to use it. The distress and alarm which pervaded and agitated the whole country when the Bank of the United States waged war upon the people in order to compel them to submit to its demands

demands cannot yet be forgotten.- The ruthless ~~[illegible]~~ and unsparing temper with which whole cities and communities were visited with ruin, and a scene of cheerful prosperity suddenly changed into one of gloom and despondency ought to be indelibly im=pressed on the memory of People of the united States.- If such was its power in a time of peace, what would it not have been in a season of war with an enemy at your doors? No Nation but the Freemen of the united States could have ~~[illegible]~~ come out victorious from such a ~~[illegible]~~ contest- yet if you had not conquered, the Government would have passed from the hands of the many to the hands ~~[illegible]~~ of the few; and this organized money power, from its secret conclave would have dictated the choice of your highest Officers, and compelled you to make peace or war as best suited their own wishes.- The forms of your Government might for a time have remained, but its living spirit would have departed from it.-

The distress and sufferings inflicted on the people by the Bank, are some of the fruits of that system of policy which is continually striving to enlarge the authority of the Federal Government beyond the limits fixed by the Constitution.- The powers enumerated in that instrument do not confer on Congress the right to establish such a corporation with such powers as were given

given to the Bank of the United States; and the evil conse=
=quences which followed may warn us of the danger
of departing from the true rule of construction,
and of permitting temporary circumstances, or the
hope of better promoting the public welfare, to
to influence in any degree our decisions upon
the extent of the authority of the General Government.
Let us abide by the constitution as it is written,
or amend it in the constitutional mode if it is
found to be defective. –

Bogus/ – The severe lessons of experience will I doubt
not be sufficient to prevent Congress from again charter=
=ing such a monopoly even if the constitution did
not present an insuperable objection to it. – But
you must remember my Fellow Citizens that
eternal vigilance by the people is the price of
liberty, and that you must pay the price if you
wish to secure the blessing. – It behoves you therefore
to be watchful in your states as well as in the
Federal Government. – The power which the moneyed
interest can exercise when concentrated under a
single head, and with our present system of
currency, was sufficiently demonstrated in the
struggle made by the Bank of the United States. –
Defeated in the General Government, the same class
of intriguers and politicians will now resort to the
States, and endeavor to obtain there the same organiza=
=tion which they failed to perpetuate in the Union. –
– And –

and with specious and deceitful plans of public advantages, and State interests and State pride, they will endeavour to establish in the different States, one moneyed institution with overgrown capital and exclusive priviliges sufficient to enable it to control the operations of the other Banks. — Such an institution will be pregnant with the same evils produced by the Bank of the United States, although its sphere of action is more confined; and in the State in which it is chartered, the money power will be able to embody its whole strength, and to move together with undivided force to accomplish any object it may wish to attain. — You have already had abundant evidence of its power to inflict injury upon the agricultural mechanical and labouring classes of Society; — and over those whose engagements in trade or speculation render them dependent on Bank facilities, the dominion of the State monopoly will be absolute, and their obedience unlimitted. — With such a Bank and a paper currency the money power would in a few years, govern the State and control its measures; and if a sufficient number of States can be induced to create such establishments the time will soon come when it will again take the field against the United States and succeed in perfecting and perpetuating its organization by a charter from Congress. — It is one =

It is one of the serious evils of our present system of Banking that it enables one class of Society and that by no means a numerous one, by its control over the currency to act injuriously upon the interests of all the others, and to exercise more than its just proportion of influence in political affairs. - The Agricultural, the mechanical, and the Labouring classes, have little or no share in the direction of the great moneyed corporations, and from their habits and the nature of their pursuits, they are incapable of forming extensive combinations to act together with united force - such concert of action may sometimes be produced in a single city, or in a small district of country, by means of personal communications with each other. But they have no regular or active correspondence with those who are en=gaged in similar pursuits in distant places; they have but little patronage to give to the press, and exercise but a small share of influ=ence over it; they have no crowd of dependants about them, who hope to grow rich without labour, by their countenance and favour, and who are therefore always ready to execute their wishes - the Planter the Farmer the Mechanic and the Labourer, all know that their success depends, upon their own industry and economy and that they must not expect to become suddenly rich by the fruits of their toil. - yet these classes of Society form the great body of the people of the United States; they are the bone and sinew of the Country, and moreover hold the

=great=

Darlington

great mass of our national wealth, although it is distributed in moderate amounts, among the millions of Freemen who possess it. — But with overwhelming numbers and wealth on their side, they are in constant danger of losing their fair influence in the government, and with difficulty maintain their just rights against the incessant efforts daily made to encroach upon them. The mischief springs from the power which the moneyed interest derives from a paper currency which they are able to control, from the multitude of corporations with exclusive privileges which they have succeeded in obtaining in the different States, and which are employed altogether for their benefit: and unless you become more watchful in your States, and check this spirit of monopoly and thirst for exclusive privileges, you will in the end find that the ~~most~~ useful powers of government have been given or bartered away, and the control over your most important and dearest interests, have passed into the hands of these corporations. —

The paper money system and its natural associates, monopoly and exclusive privileges, have already struck their roots deep in the soil and it will require all your efforts to check its further growth, and to eradicate the evil. The men who profit by the abuses and =

= desire to perpetuate

them

them will continue to besiege the Halls of Legislation in the general Government as well as in the States, and will seek by every artifice to mislead and deceive the public servants.— It is to yourselves that you must look for safety and the means of guarding and perpetuating your free institutions.— In your hands is rightfully placed the sovereignty of the country, and to you every one placed in authority is ultimately responsible.— It is always in your power to see that the wishes of the people are carried into faithful execution, and their will when once made known must sooner or later be obeyed. and while the people remain, as I trust they ever will, uncorrupted and incorruptible, and continue watchful and jealous of their rights, the government is safe, and the cause of freedom will continue to triumph over all its enemies.—

But it will require steady and persevering exertions on your part, to rid yourselves of the iniquities and mischiefs of the paper system, and to check the spirit of monopoly and other abuses which have sprung up with it, and of which it is the main support.— So many interests are united to resist

to resist all reform on this subject, that you must not hope the conflict will be a short one, nor success easy. My humble efforts have not been spared during my administration of the Government to restore the constitutional currency of gold and silver. and something I trust has been done towards the accomplishment of this most desirable object. But enough yet remains to require all your energy and perseverance. The power however is in your hands; and the remedy must and will be applied if you determine upon it. B (1) & (2)

While I am thus endeavouring to press upon your attention the principles which I deem of vital importance in the domestic concerns of the country, I ought not to pass over without notice, the important considerations, which should govern your policy towards foreign powers – It is unquestionably our true interest to cultivate the most friendly understanding with every nation, and to avoid by every honorable means the calamities of war. – and we shall best attain this object by frankness and sincerity in our foreign inter=course, by the prompt and faithful ~~negociation~~ execution of treaties, and by justice and impartiality in our conduct to all. – But no nation however desirous of peace, can hope to escape occasional col=lisions with other powers, and the soundest dictates of policy require, that we should place ourselves in a condition to assert our rights, if a resort to force should ever become necessary. – our local situation, our long line of sea coast, indented by numerous bays, with deep rivers opening into the interior as well as our extended and still increasing commerce, point to the navy as our natural means of defence. – It will in the end be found to be the cheapest and most effectual – and now is the time in a season of peace, and with an overflowing revenue, that we can year after year add to its strength

without increasing the burthens of the people. – It is your true policy. For your Navy will not only protect your rich and flourishing commerce in distant seas, but will enable you to reach and annoy the enemy, and will give to defence its greatest efficiency by meeting danger at a distance from home. – It is impossible by any line of fortifications to guard every point from attack against a hostile force advancing from the Ocean and selecting its object. But they are indispensable to protect cities from bombardment, dock yards and naval arsenals from destruction, to give shelter to merchant vessels in time of war, and to single ships or weaker squadrons when pressed by superior force. – Fortifications of this description cannot be too soon completed and armed, and placed in a condition of the most perfect preparation. The abundant means we now possess cannot be applied in any manner more useful to the country – and when those defences are known to be completed – our naval force sufficiently strengthened – and our militia armed, we need not fear that any nation will wantonly insult us, or needlessly provoke hostilities; we shall more certainly preserve ~~the blessings of~~ peace when it is well understood, that we are ~~~~ prepared for war –

Checked

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In presenting to you my Fellow Citizens these parting counsels I have brought before you the leading principles upon which I endeavoured to administer the Government in the high office with which you twice honored me. – Knowing that the path of freedom is continually beset by enemies, who often assume the disguise of friends, I have devoted the last hours of my public life to warn you of the dangers. The ~~rapid~~ progress of the united States under our free and happy institutions has surpassed the most sanguine hopes of the founders of the Republic. – Our growth has been rapid beyond all former example, in numbers, in wealth, in knowledge and all the useful arts which contribute to the comforts and convenience of man; and from the earliest ages of history to the present day, there never have been thirteen millions of people associated together

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together in one political body who enjoyed so much freedom and happiness as the people of these united states- you have no longer any cause to fear danger from abroad- your strength and power are well known throughout the civilized world, as well as ~~the~~ your high and gallant bearing ~~of your sons~~.- It is from within, ~~[illegible]~~ among yourselves, from cupidity, from corruption, from disappointed ambition, and inordinate thirst for power that factions will be formed and liberty endangered. It is against such designs- whatever disguise the actors may assume that you have especially to guard yourselves.- You have the highest of human trusts committed to your care. - Providence has showered on this favored people blessings without number, and has chosen them as the vessel of freedom to preserve it for the benefit of the human race.- May he who holds in his hands the desti-nies of nations, make you worthy of the favors he has bestowed, and enable you with pure hearts and pure hands and sleepless vigilance, to guard and defend to the end of time the great charge he has committed to your keeping.-

My own race is nearly run- advanced age and failing health warn me that before long I must pass beyond the reach of human events and cease to feel

to feel the vicissitudes of human affairs.—
I thank God that my life has been spent
in a land of liberty and that he has given
me a heart to love my country with the affec=
=tion of a Son. And filled with gratitude
for your constant and unwavering kind=
=ness I bid you a last and affectionate Farewell.—

Andrew Jackson

BATTLE OF NEW ORLEANS

receive orders — The 7th U.S. Infantry to be formed below the city, supported by a battery of 2 24 pounders, well supplied with ammunition, ready to march to support the light troops ordered to reconnoitre the enemy, the 44th ordered to cross to the left Bank ready for action, and formed in the rear of the 7. Planches Batalion to be relieved by the city Militia & corps of cavalry to be marched & formed in the rear of the 44th. expresses were sent to Majr. Lacoste at Chef menteur, & reconnoitring parties on the Gentilly road, to prevent [illegible] to Chef menteur of that route by the enemy, Governor Claiborne was charged with the defence of the city on that quarter, ~~but the~~ the city Mi-litia under the control of Genl. Commdg. Dessaunay, who was ordered, to form on that road below the city, believing that the enemy might have surpris-ed & captured Major Lacoste's Batalion as they must have done, those on the Bayou Bienvenue The Genl. aid de camp Butler was charged with the defence of the city & the distribution of all orders from the commanding

Substance of

Col. McRea was charged with the supply of the Battery —

(a)

Genl, he well knowing the importance
of Claiborne in the City a confiden
=tial officer, on whose energy he could
rely- expecting to see Genl Carrolls
Devision as emergency might require
as soon as it was ascertained, where
the main force of the enemy inten
=ded to concentrate— the necessary
arrangements was made with Com
=modore Patterson for the night
attack of the enemy if he waited for
me, & a coperation for his repulsion;
if the ~~enemy~~ marched upon me, order
was sent to Genl Morgan to cross as
many of his command below the
enemy as he could get transporta
=tion for, & attack ~~the enemy~~ him in
rear whilst I attacked him in
front & flanks— all these arange
=ments made & the necessary instructions
given to my aid Captn. Thos L. Butler
Genl Coffee having reported himself at 5 oclock
the Genl with his staff mounted
& proceeded to where the 7th. Infantry
was forming, the 44th. Plauche & D'Aquin
Battalions not having arrived, the
Genl ordered Genl Coffee to proceed
with his Brigade & a detacht of Missi

The light Troops sent to reconnoitre the
enemy, under Colo. Hayne & Hinds
to proceed as low as Colo. Lorond's (who
was ordered to accompany the Genl as his
guide) if he did not meet the enemy
to file off to the left & take a position
to the left of Colo. de Lorond's house.
The Genl followed, with the Battery
of 2, 6lbs & the 7th Infantry to sup-
-port Genl Coffee if met by the
enemy, Colo. Hayne met the Genl
informed him he had taken a
good reconnoisance of the enemy, &
he thought them 2000 strong, appear-
-ances of reinforcements arriving constantly
& they were preparing to encamp for
the night. The Genl proceeded to Lorond's
with Capt White 7th Infn under
-formed the Battery on the road,
supported by a small corps of marines
on its right & rear, & formed the
7th on the left of the Battery with
its right resting on it, charged the
adjutant Genl with the formation
of the other Troops as soon as they
arrived in the following order: on
left of the 7th Blacks Battalion on

on its left, Daquin's Battalion of
coloured troops, and the 44th on the
left of the line — Major Peire to
command, and to take the command of
the [illegible] Major Mich being on the
sick report, Col. Ross to take
command of the Brigade composed
of the 44th Planche & Daquin's battalion.
This formation was intended to de-
=ceive the enemy who supposing
our left troops in the entrench—
would make dispositions against
our flanks — this order given the Genl with
Col. Hayne repaired to the head
of Genl Coffee's column, & with
the Genl proceeded to reconnoitre
the enemies position — he appeared
perfectly at ease, his fires burning
very bright, which gave a good
view of his situation — Genl Coffee
was ordered to turn his right flank
& press him in rear & flank —
whilst the Genl with his infantry
would press him in front & C.
Patterson with the [illegible] would
pour the grape upon his left

~~Flank, whilst it was hoped Genl Morgan would be able to attack him on road drove in his pickets — St Clair —~~

Coll. McRea was ordered to superintend the subdivision of artillery & see that it was well supplied with fixed ammunition, Lt Spotts commanded the Battery — every precaution had been taken that the troops should be well supplied with ammunition — the staff were every where attentive to their duty, & celerity & order appeared in every countenance — all things thus prepared — we waited only for the signal from right or left to advance — the commanding officers of corps were ordered strictly to attend to the following injunctions, that when ordered to advance — the line was to break off by heads of companies — and great care to be taken to keep their proper distances, that no confusion should ensue when ordered to — wheel into line —

The artillery was ordered to advance on the road, with Capt. Whyte's platoon in front [illegible] the artillery should advance with equal pace with the right of the 7th Infantry, the artillery to form Battery the moment the order was given to form the line of Battle, & open upon the enemy — the coolness was [illegible] sliding gently down the current, the passed in silence — every officer at his post — shortly after [illegible]

is seen to explode, & immediately the Carolina
opened her Batteries upon the enemy – The
order is given for the Infantry to advance
the 7th broke off by the head of company
Ross's Brigade advance in line – the artillery
under Spotts the 7th Infantry & Rosses Brigade
advance with great gallantry, when ad= [The advance under Col. [illegible]]
vanced about two hundred yards, received a
fire from the enemy – the line was instant
=ly formed, the Battery opened, the enemy
driven – the line advance, the enemy ha
=ving retired, to a ditch – Post & rail fence, give
us a heavy fire which is gallantly returned
the Battery open upon him, and the enemy
drove from his strong hold & there in con=
=fusion, The order to press the enemy is given
by an advance of the whole line – from
the blaze of the arms, the Genl had discovered
some confusion in the centre, Col. Hayne
is ordered to repair to the spot & have order
restored, & the line strengthened by bringing
up the centre this order was promptly &
gallantly obeyed by Col. Hayne – but the
centre being pressed on by the left, it had
formed a crescent, & in the dark night & in
the heat of battle not easily rectified
The enemy is gallantly driven by the 7th
& 44, & the Battery [illegible] The
marines had fled, from its support & was

rallied by the adjt Genl Col. R. Butler and
by the other staff — the whole line is again 4
ordered to advance — & the Genl still finding
the centre in a kind of crescent sent his
aid Major Reid, to have it if possible
brought up in to line — & the adjutant
Genl to give an order to Col. Ross to
have it done — these two officers promptly
& obeyed this order — the enemy had made
another stand at a ditch & post & rail
fence, and gave us a severe fire, at this
moment the adjutant genl returned
& reported that he had seen Col. Ross
& given him the positive orders
directed, the Genl gave the order to
charge & dislodge the enemy, who was
by this time & further [illegible] heavily [illegible] of
our Battery, the adjutant genl, Col
Butler & Col. Pratt gallantly led gallantly
the right, the enemy was again drove
But the 44th by this time nearly
closed with the 7th & the fire from
the centre was galling my left
the 44th the Genl ordered the line to
be halted, search made for the woun
=ded, & the more having the fire of
Genl Coffee not far distant, & fear

fell, that we might come foul of our
own men orders were given, to with
draw the whole line to our original
position — The wounded is searched for
& delivered over to the care of Doctor Kerr
& Flood (who had accompanied the Genl
& remained near him in the hottest
of the contest & amids the showers of
Ball) and the Surgeons of the Regt. &
the line is withdrawn & formed
in its original position, & an officer
sent to bring intelligence from Genl.
Coffee, express returns & reports that
the Genl has drove the enemy at every
point, but owing to large reinforcements
of the enemy that attacked him on
his left & rear, he has lost some prison
=ers- from his left having drove the—
enemy to the levy, where he had taken
shelter in an old levy, his left having
been thrown into some confusion
that he has withdrawn his Troops, &
is forming them in front & on the
left of Col. Laronds house where he will
await my orders, that he has taken many
prisoners, & lost some valluable officers &
men- he is ordered to keep his position.
place Col. Hinds with his squadron on his
left, keep out Vedets, to prevent surprise on his - left being secured

collect his wounded & await orders — Sixty
prisoners is sent by Genl Coffee, Major —
Mitchell who fired the capitol & two others,
they are sent up to N orleans, St Shotts
reports he is out of ammunition — Col —
McRea is called on, there is none nearer than
the city — officers are Dispatched for ammunition
& the Genl being resolved to attack the enemy
as soon as it is light, orders Genl Carroll
to Join him with 1000 of his Division
leaving the balance — to protect the
city in that quarter — an express arrives
from Major Lacoste, informing that the
whole British force, has passed up to the
mouth of the Bayou Bienvenue — Genl
Coffee reports that large reinforcements
are constantly arriving at the British
Camp, — Genl Carroll arrives, and is order-
-ed to form on the left of Col. Ross —
The Genl reflects on the information
received, considers he is defending a country
the enemy invading, that he has not more
than 2000 [2300] effectives, including Genl Carrolls, on the field, but a-
-bout 1000 of them regulars, many of whom
are raw recruits — he determines, not to play
so deep a game of hazard as to attack them
on their strong positions, concludes to

to take a strong position, fortify, & await their attack, the engineer is consulted & the avenue & race near McCartys de=termined on about 2 miles in the rear, orders are given to Coll Hinds to occupy a position near to the enemy, be upon the alert, be not surprised, & communicate to the Genl, every movement of the enemy & every discovery worthy of notice. If advanced on with superior force: retire in good order, behind the posi=tion occupied by the Genl, not to engage his squadron, unless an opportunity offered, to inflict a severe wound without paying too dear for it — orders were given for Genl Coffee to with draw his troops, Genl Carroll was to follow, left in front — Colo. Ross with his left in front, the artillery sup ported by the 7th & the guards, the wounded had been sent on before —

So silently was this movement =that the enemy knew nothing of it & we took possession of the saw mill race a little after sun rise, in the same order of the line of Battle, one regt of Genl Coffees Brigade being

6

only pushed into the swamp, the other
held in reserve, & encamped in the rear
to preserve their horses from the shot
of the enemy — as soon as we possessed
ourselves of this line of defence 500 of
Genl Coffees Brigade were ordered to
reconnoitre the enemy, make a
shew of turning his flank, and bring
in such horses as had been lost during
the action the night before — on the
appearance of this detachment the
enemy formed for battle, & were
seen to be engaged in fortifying their
rear & right flank — Genl Morgan
now reported that in pursuance to my
order he had crossed with about 250
men, that he had a circuitous route
as well as being detained for the
want of ~~means of~~ transportation, that
he had reached the enemies piquet
whilst we were engaged, and endeav-
oured to force it but would not
succeed — from the British fortifying
before I knew that the calculated on being
again attacked, & I had a sanguine hope that
the affair of the night of the 23rd which may
every thing considered, be said to be the best
fought action in the annals of military
warfare, would give me time, & enable me
thereby to save the country — fatigue parties
were now ordered to cut the levy below our
line to overflow the swamps & protect our
left —

we withdrew without the enemy having
any knowledge, of it, and took possession
of the canal 8 a.m. 24th and formed on the
canal in the following order, the artillery on
the right, supported by the marines — on its left
the 7th U.S. Infantry — Plauche Belchon, Daquin
44th U.S. Infantry, Genl. Carrolls Division, &
on right Genl. Coffees Brigade pushed
into the swamp, on the land, the other
held in reserve, & to be encamped in the rear,
Genl. Coffee was ordered to detach 600 of
his Brigade, to reconnoitre the enemy, &
field of Battle, bring off the horses that were
lost on the preceding evening, and to make
a movement, that would demonstrate to
the enemy an intention of again turning
his right flank — but not to attack the ene-
=my, unless, circumstances would ensure
success, by coming in contact with an
equal number, the Brave Lt. Col. Elliott
was sent on this command, & directed to
obtain from Col. Hinds all information
relative to the movements of the enemy

that he might have obtained, throughout the
the morning - There being no entrenching
tools in the arsenal, a requisition was
made on the Mayor of the city. Capt Hum-
=phreys of the artillery was ordered to the line
with 2 twelves & 9 1/2 Howitzers. This brave
officer promptly obeyed this order & appeared
on the line at 1 o'clock, & the Mayor had
by this time procured fifty spades & some
mattocks - The commanding General in
the mean time had explored the land
& Swamps, & determined there to halt
the enemy, or bury himself in the
ruins of that defence - orders were im-
=mediately given for the commence-
=ment of the works & broke ground
a little after one o'clock. At 4 o'clock
P.M. Col. Elliott reported, that agreeable
to order he had taken a full reconnoisance
of the enemy, that when he made the
movement towards their right flank
he formed the line of Battle, & kept
[illegible] closing, showing every appearance
of attack he expected a general attack
that he found he was fortifying his

his flank & rear, that Col. Hinds, had re-
ported, large reinforcements had been
hourly arriving into the Bayou, and at no
point did the enemy dare to shew
himself, beyond his line of Battle—
From this report the Genl was inform
that the enemy had severely felt his
Cops on the night of the 23d, that by this
attack he was panic struck, that
time was gained for erecting lines of
defence, that the enemy would not
attempt to advance untill he had
his whole force, the situation of Col.
Hinds so near his front & the Carolina
on his flank, induced him to believe
that an attack was meditated, the
very moment he moved from
his strong position— The general had
believe that the attack of the night
the 23d would save the city & country
subsequent events shew that this
belief was well founded— The Genl
now fell to work with all his means
& with all his strength, the whole
city & country was ransacked for
intrenching tools— every preparation
used to be ready for an attack

pursue the enemy. one half the troops 8
was kept constantly under arms at the
line, the guards & picquet parties, taken
from the reserve of the troops ~~others~~ during the night of the
24th we got a 2 twenty fours down, & a 32 pdr
Battery of 2. 6lb erected, in the course of
the night several expresses was recd. from
the Govr, informing the enemy was ad-
=vancing in several directions, the Genl
recd them, & took no other notice of them
but sending the confidential parties to re-
=connoitre the country, who reported to the
Genl that in that quarter there was no
appearance of an enemy, & it was im-
=possible for him to pass from the
Bayou Bienvenue through the swamp
to the Gentilly road — commodore patter-
=son made report that he had annoyed
the enemy from the Louisiana, very
much throughout the day, & he was
very strong from reinforcements
recd. by report — on the morning of the
25th. Colo. Hinds reported that the enemy
remained in their position, & were
hourly reinforced, that the appeared to be
fortifying their flank — every exertion
was made this day to have our bat-
=teries on the line completed — on the
morning of the 26th. Colo. Hinds reported
that the enemy were busily engaged the

the night preceding in bringing up their
heavy ordenance — about 9 oclock A.
M. a cannon was heard, it was thought from
the Carolina, another, & another, when some
confusion was discovered on board the Caro
=lina, smoke was seen to arise from her
& it was soon discovered, that she had been
fired by hot shot from a British Battery
erected during the night — She was comple
=tely blown up, during this day & night Norris
Dominick's & Crawley's Batteries were
completed & the guns mounted, & this
night one half the troops stood under
arms on the line, the general as usual
visited the whole line three times &
kept part of his staff constantly on the
line — on this morning commandr Patterson
made his report of the loss of the Carolina see report
on the morning of the 27th Col. Hinds
reported the enemy still in some position
very strongly actively employed, & was pre
=paring for some movement, the com
=manding general, as actively employed to
be prepared for him, & to meet his attack
Early 28th Col. Hinds reported the enemy

=were forming in columns, & he expected the ene-
=my intended to attack me in my position 9
The commanding Genl had scarcely finished
hearing the above report, when he heard the
Battery of the enemy open, & saw their Rockets
this was on Col. Hinds squadron to dislodge
them, the Rocketts were thrown through
the sugar cane to dislodge those troops
he supposed was secreted there awaiting
his approach — Col. Hinds retreated in
good order, the enemy advanced keeping
his front & flanks covered by his rocket-
=teers — prevented this Spartan band from
charging him, Col. Hinds retired behind
the line of defence, was ordered to the rear
under cover, to await orders. The enemy
pushed forward his sharpshooters under
cover of the margin of the swamp within
200 yards of our line to a post & rail fence
& Detatchd Genl Coffee was ordered by the com-
=manding Genl to push a Detatchment
from his Brigade & attack the enemy on
flank, in the mean time Genl Carroll
had ordered a Detachment under Col. Hen-
=derson, to cross the line of Defence skirt the
swamp & dislodge the enemy — Henderson formed
his men in the open plain, & fell by the first
fire of the enemy with

with two others, the Detachment retreated
in confusion, & Crawly & Spotts Battery
which had been masked by this detach-
=ment, were opened upon the enemy
& Genl. Coffee's Detachment having
reached the enemy's flank he retreated
in great haste & confusion, Col. H.
died bravely but very imprudently -
if he was pursuing his orders, the order
was imprudent, to form in a plain
exposed to an enemy under cover, when
he could have reached the enemy under
cover of the shrubbery of the swamp - Genl.
Carroll states, his formation was contrary
to instructions - The enemy have retreated
at all points, not without considera-
=ble loss as is believed, as the heads of his
columns had advanced within reach
of our Batteries - he encamped in full
view & in range of our heavy Cannon -
in the night threw up some entrench-
=ments - on 29th began a redoubt to cover
their right flank & a traverse line to co-
=ver them [illegible] from the Batteries on the
right of the river, or from the water -
we opened our Batteries upon, & annoy
them constantly & kill many - orders be
given to Col. Morgan to relieve Major
Lacoste's Battalion at Chef Menteur - &

required reasons – & orders was given 10
to this effect – discontent in the Bat=
=talions, on being detailed for this
fatigue, which is put down with=
=out it being generally known that
it existed – however this discontent
made the general more vigilant &
attentive – mutiny or disobedience
at this crisis would be fatal, energy
alone could save all, it was adopted –
their officers sent for who gave the
pledge for their men, which was
redeemed – negroes sent for to the [illegible]
[illegible] the negroes, – cheerfulness
is seen in all faces, with a deter=
=mination to defend their line or
bravely perish – skirmishes with
the enemy to day – reconnoitred thro
the swamp & down the Bayou – rein=
with the enemy
=forcements are still arriving – the
people of Tennessee [illegible] supply them
with provisions, horses, oxen & cattle
the engineer is sent over to inspect
the defence on the right side see his
report – Major [illegible] Engineer, re
commends a Bastion to be built on left
to rake the ditch & plains, the Genl objects
for the want of materials, it would be –

[illegible] ended, & the [illegible] being in view
will make the attack before it can be
completed, and if [illegible], will weaken
our defence — He still urges it, & Col. Hayne
in whom the Genl. has great confi-
dence in the application — the Genl. is
contrary to his own Judgment, it is the
first time in his life experience
has shewn, he ought not to have yielded
his Judgt. One person charged with re-
=sponsibility ought — his duty to
himself & country requires that he
should hear every reason that could
be advanced, keep his mind open to
conviction, but never ~~[illegible]~~ act
or permit it to be done, which his
Judgt. tells him is wrong this
is a rule from which there can be
no exception either in public or
private life — 6th The Bastion is
not finished, the Genl. [illegible] the En-
=gineer, and orders him to complete
both Hornworks with [illegible] hard [illegible]
by drawing in the [illegible] [illegible] of the
Bastion — the line is again examined
& ordered to be strengthened by
[illegible] [illegible] to be [illegible] [illegible]

[illegible]
with [illegible]
[illegible]
his Bl[illegible]
able servic[illegible]
accord of every [illegible]

(B)

The commanding Gen[illegible]
right of his wishes was [illegible]
[illegible] by a [illegible] defect [illegible]
on the right bank, [illegible]
[illegible] with deep [illegible]
[illegible] hostility & wrong [illegible]
[illegible], our [illegible] [illegible] & a shameful
[illegible] confusion [illegible] a retreat [illegible]
[illegible] not arrived, a retreat [illegible]
[illegible] not be [illegible], the confusion was
[illegible] exceptions, of any & feeble
[illegible] I ordered the 2 [illegible]
pounders on the [illegible] of the left Bank
to be opened on the column of the enemy
[illegible] on the right Bank, which [illegible]
[illegible] from the [illegible]
immediately drove [illegible]
compelled them [illegible] the shelter behind [illegible]
[illegible] ground [illegible] buildings — the Adjt.
Genl. was ordered forthwith to detach 400
[illegible] to reinforce the right Bank & to —

[illegible] had
[illegible] [illegible] on
[illegible]

[illegible] the enemy
[illegible] river, or ap-
[illegible] had been sent to Genl
[illegible] his troops collected &
attack the enemy as
[illegible] by the [illegible] reinforce
[illegible] to leave the enemy recon-
-noitred — and all things ready to make
the order [illegible] [illegible] [illegible] —

Ven [illegible] [illegible] [illegible] made to the
Genl [illegible] the disgraceful scenes
on the [illegible], was [illegible] by the
disgraceful [illegible] [illegible] [illegible]
of the [illegible] [illegible] & the [illegible]
Detachment, on [illegible] [illegible] [illegible]
had [illegible] greet [illegible] [illegible] re-
port was confirmed [illegible] [illegible] officer
who [illegible] the [illegible] [illegible] [illegible]
by the report of [illegible] Morgan [illegible]
commodore [illegible] [illegible] [illegible] —
the commanding Genl was [illegible] from
the weakness of the British [illegible]

that [illegible] up the Levy, that it would
not exceed the number, [illegible] by Major
Wilkinson of the British army in his
letter to his brother of the night of the
7th a copy of which was found with him
on the [illegible] after [he was] mortally wounded & taken
prisoner which stated the Detachment to
consist of Col. Thornton's Regt. infantry 450
Marines 200 — Sailors — 200 — aggregate 850 —
The Sailors were left to guard the Boats
& act as the reserve, Thorntons force in
action 650 — There being on three co=
=lumns could not contain but little
over 200, in each column & many 100
or 150, [illegible] affords a good defence for
good Marksmen, from Ditches & post
& [illegible] fences — The commanding Genl
had not seen the Governor on the 8th
But from his frequent requests to the
commanding Genl. to lead the forlorn
hope — The Genl thought this expedient
a proper occasion for a display of Gov.
Claibornes military prowess, & profound
eloquence, [illegible] [illegible] from him
during the day a glorious attempt, honoura=
=ble to himself, & beneficial to his coun=
=try & the American name — It was re=
ported now to the commanding Genl that

the Detachment from the Kentucky
Division had marched 400 strong—
The Brevet Genl. Humbert was ordered to stop
& report himself for command to aid
in the attack on the right Bank—

12 oclock in the day the 8th a Bugel
of the enemy was heard, & a white flag
seen approaching our line—orders
was given to the Adjt. Genl. to meet
it in advance of the Parapet, & receive
the communication—It was from
Genl. Lambert asking an armistice
to bury his dead—the communication
was not signed as commander in—
chief, & the commanding Genl thought
it his duty to hold correspondence
with none else, & replied to Genl.—
Lambert, to know whether he was
then commanding in chief over
the British forces—The Genl answered
in the affirmative—the armistice
was granted under certain condi:
tions for which see the official cor:
:respondence—Jany 8th half past 3 O
clock P.M. Reported to the commandg
Genl, that the Allied troops, with the
reinforcements under Governor Clai
borne were assembled near the

13

Remarks on the right Bank of the River & the officers in the presence of the Gov. quarrelling about rank, & no movement made against the enemy — Genl Humbert is ordered forthwith to cross the river, taking with him two hundred men of the Kentucky [illegible] if they could be armed, & assume the command & drive the enemy into the Mississippi — Genl Humbert from the darkness of the night & the want of crafts to cross over, he did not reach the right Bank untill the morning of the 9th

9 Jany 9th early this morning a letter by flag was received from Genl Lambert informing that before he had rec'd, the note from the commanding Genl [illegible] the conditions on which the armistice was granted, that he had ordered the troops to be withdrawn from the right Bank, & most of them had actually recrossed, & excusing himself from any suspicion of withdrawing them in violation of the armistice had Gov.r Claiborne [illegible] obeyed the order of that —

the commanding Genl, it appears
clearly from the communication
of Genl Lambert, that he could have
captured or destroyed the whole British
force on the right Bank— Never was
a situation more favourable for a
brave man to have reaped imperis-
-hable laurels, than this of the Governor
~~But he is nought but a good hand
for great pomp & show, & courting
popularity in quiet life or civil
walks— Rather contrary determinants
amidst perilous dangers.~~ The comman-
-ding Genl, immediately communica-
-ted to Genl Connell the intelligence
of the withdrawal of the British force
from the right Bank of the River—
ordered the reinforcements to reoccupy
& the ground to be reoccupied by Genl
Morgan & Commodore Patterson &
a strong line of defence to be thrown
up— Commodore Patterson found his
many guns in the situation he left
them— This valuable officer fell to
work, unspiked his cannon & had his
Batteries ready to open upon the enemy
in a short time and the first
intelligence the enemy had from
him was a salute with a [illegible]

directed to it [illegible] that did the enemy
great injury by firing the houses he was
in possession of.
Janry 9th 2 oclock P.M. express from Maj.
Overton Ft St Phillips, that the British
had attacked him by water, with two
Bomb ketches Etna & Vesuvius, with
heavy mortars, but with but little
success [illegible] or injury on ours — [illegible]
The cannon & mortars had been distinctly
heard the day & night before the arrival
of the express & this was heard. The
Genl ordered a 13 1/2 Inch mortar [illegible] down
from the city & placed on the margin
of the river on the left bank in the
[illegible] of the [illegible] of [illegible] — & about
[illegible] yards [illegible] of the mortar a
battery of [illegible] 24 lb with a [illegible]
[illegible] in [illegible] —
[illegible] was —
made in concert with commodore
Patterson for the defence of the
Mississippi in case the enemy
succeeded in passing & taking
Ft St Phillips — three 24 lb was
brought from the Batteries at
the Bayou St John none having
that had been
yet arrived promised by Government

=ceding 10th. The new works of defence are
reported to be accomplished, on the bor-
ders of the river, and the necessary ac-
=commodation made [illegible]
Detachment for ferrying the British
fleet of [illegible] entering the Mississippi
above Fort St Phillips. The [illegible]
in high spirits & nothing is [illegible]
but commonly sensible [illegible] & plenty
our perfect security & defence against
the enemy — The [illegible] is again
recommended, to provide a proper
[illegible] eight [illegible] from the
right of the [illegible] been
off from the [illegible] by [illegible]
in the Bayou [illegible]
Officer & [illegible]
confidence [illegible] the [illegible]
troops [illegible]
Genl was to attack the [illegible]
the open plain — Genl [illegible]
answering [illegible]
they would [illegible] perfect as [illegible]
we have frequently [illegible] — but
your knowing [illegible] not escape
him, & might not be so efficient
in an open plain as against this ob-
=struction [illegible] you [illegible] with

Insurgents & Bayonets not more than
four hundred - Genl. Nelson answers
my troops will fight when behind
breastworks or in the woods - But do
not hazzard an attack with undis-
ciplined militia in an open field; they can-
-not be relied on - the officers are un-
-experienced, the soldiers without
subordination or discipline - you would
hazzard too much by making an -
attack with them in an open plain
against well disciplined troops -
[illegible] an experiment
Ingsted that of the 61 by the mortar [illegible]
[illegible] & yesterday [illegible]
- It is ordered to be taken up & another
made under the superintendence
of Mr Gilbert - he labours indefatigably on
13th the mortar is now placed & opened
- upon the enemy - on experiment it
is found the fuses are very bad -
[illegible] that the mortar be fired
at the enemy every two hours during the
night - which is the signal for the other
Batteries to fire in regular rotation
from right to left - This annoyed the
enemy much & broke their repose - in

the day[illegible] our Batteries were constantly playing upon him;

— The enemy being thus harassed, & [illegible] of provisions, began to embark his Military Stores & are preparing for a retreat — their entrenched [illegible] [illegible] not to be able to attack him in his position — it is too strong, & my troops too ill & badly armed, to require it — our country's safety & prudence says, do not require the fatal consequences that might ensue on the loss of those brave men who [illegible] defended the one are too precious to be launched away by an attempt to attack the enemy behind their works in their strong position & their flank cannot be turned, without forcing their position —

— a stipulation for exchange of Prisoners — on the 17th January part of Prisoners returned — Shields [illegible] [illegible] [illegible] on the 18th his gallant & happy undertaken & success — see the official communication — on 18th Col. Kemper sent with a party to reconnoitre the

enemy — It is believed the enemy are about
to retreat — order sent to Genl Morgan
to prepare to cross the river below &
harrass the enemy on their retreat
see order — on the morning of the 18th
the enemy had retired — Genl Coffee
is ordered, to send a strong detachment
to reconnoitre the Bayou, & harrass
the enemy as much as possible on
his retreat — the comdg Genl with his
Staff & Colo. Hinds Dragoons reconnoitre
the ground, is met by a British Doctor
the bearer of a letter from Genl Lambert
asking his humanity to be extended
to 80 British wounded left in the
hospital

Genl Coffee is ordered to send a strong detch
to reconnoitre the Byou & annoy the 19
enemy as much as possible— this is
executed— the Genl proceeds with his
Staff & Hinds horse to reconnoitre the
(C) ground, is met by the British
Doctor with a letter from Genl
Lambert, asking my humanity
to be extended to 80 British wounded
too bad to be removed, they are visit
=ed & orders given for their com=
=fort & safety, Doctor Cox is charged
to attend to their comforts
& wants the enemy has retired with
great caution— erecting Batteries
to cover their retreat in narrow
passes— not more than two rods
wide— Col. Baker of Attacapas
who second Genl Coffees detht.
with a few men push forward
& take several prisoners— It is
found impossible to reach the
enemy, the Byou is defended
by a strong dirt redoubt & Batte
ry, & several Boats with a command
annoyed
the Troops from the line of defence to the
city Carrolls & Coffees. T. encamped above the

Kentuckians [illegible] on the [illegible] canal, the 7th on
the [illegible] at Villeres canal—
[illegible] Genl [illegible] question [illegible]—
It is thought by the reconnoitering
parties that this redoubt can be turn'
=ed by passing down the west side of
the Bayou— The Kentuckians apply
for an opportunity to regain their
lost reputation— The Genl determines
to order a Detachment to carry it
if possible & strike the enemy who
may not have Desembarked—
Col. Hinds apply's for the com
=mand & for permission to arm
his Dragoons with Musquets
& march them on this service—this
is granted, a Detachment of 400 is
ordered from the Kentucky Division
400 from Genl Carrolls Division
and Col. Hinds Dragoon 220—
to rendezvous at Villeres canal—
The Col. receives his instructions
Detachment, march—

The Genl is anxious to hear from the
Detachment, knows the gallantry of its
leader, & his Dragoons, has entire confidence
in the whole Detachment, is anxious for it

fote about 10 oclock this day
Colᵒ Hinds returns, & makes the following
verbal report — to the Genl at his quarters —
That agreeable to instructions he had marched
his corps to Villeré's canal, that there he was
joined by the Detachment of Kentuckians,
400 strong — The Detachment from Genl
Carroll's Division not having arrived
they having to march on foot 13 miles
& the other Detachments anxious to
move forward — expecting his present
force sufficient to carry the works &
to hold the Position untill he could re-
-port to the Genl, determined him to
go on & not wait for the other Detᵗˢ;
he formed his men in front, the Detach-
-ment of Kentuckians in rear with in-
-structions to keep in as close order as the
nature of the ground would permit —
if his column was attacked the Kentuc-
-kians were to support him, keeping
in close order with them advancing — the
night was clear, the moon gave good
light — rendering impracticable [illegible] had to
encounter by the Badness of the road
it being very deep & all the Bridges over
the smaller arms of the Bayou having been
— taken —

taken up by the enemy. however they
overcame all difficulty, and approaching
near the British Battery was hailed by
a centinel, no answer being given he
fired at the column. orders were given
to quicken the march, the Battery was
now perceivable, & the Col. was deter
=mined to pass it with his front &
take it in flank & front. the column
was fired on by a cannonade from one
of the British Boats. the column ad=
vanced briskly when it was opposite
to the Battery it was halted by a large
Byou, which the Col. had not been
apprized of. he brought his column
to the left face determined to charge
the Battery, when the order was given
and having advanced a little dis=
=tance under the fire of the Battery
their advance was impeded by
by a large byou between them & the
Battery. the Battery being situate
on the west of the Byou Bienvenue
& south of the Branch running
west. the Byou being very deep & at
least 30 yds wide nothing was left to
be done but to relinquish your order

and he ordered his column to the right
face, countermarch by the right, which
was executed in good order & they re
tired with the loss of one man killed &
on his return to the ground where
he expected to find the Kentuckey
& who he expected was supporting
all the troops
him, to his great astonishment
they were all missing, he had his
roll called & found three of his men
missing & unaccounted for. The
Col.^o then enquired of his officer
who commanded his rear, if he
knew what had become of the
Kentuckeons, when he was in
=formed, that on the fire of the
piece from the British Boat
they all fled precipitately into
the corn which was the last
he saw or heard of them—

Adjt. Genl

On this day   Col.^o Harrison
of the Kentuckey division waited
on the Genl. and observed that he had
understood that some unfavourable
report had been made by Col.^o Hend

I told him, the report was that on
the fire of the cannon from the
British Boat, that all the Kentuck
=ians had precipitately fled into the
town, the Col.o attempted some harsh
remarks, from which I collected he
had been present, & interrupted
him in, ~~asking~~ stating to him that
Col.o Hinds was too honorable a man &
a man of too much truth to make
a false statement, & in my presence
it should not be permitted, & asked
the Col.o the day he was with ~~the~~ [illegible]
whether the Kentuckians had not
shamefully fled, he said they had
but the example was first set by
Hinds Dragoons – I supposed three
of them had fled with the Kentuc
kians – as I had seen three very early the
morning after the affair pass up by
my quarters, & from their answers
to my questions supposed they had
deserted during the night –
Col.o Hinds informed me this day that
the 3 men alluded to, had been tried dis
graced, dishonorably discharged & [illegible]
out of Camp – I heard no more on

this subject — feeling as I did for the high standing of the Militia of Kentucky & believing it generally true, that where officers do their duty, compel subordination & discipline, & have a firm military deportment, their men will always act bravely from the example — where officers do not do this, nothing can be calculated on but disgrace — with but few exceptions in the line they were as badly officered as any troops ever were — there were a few valuable officers in the staff — the country being safe for the above reasons I made no mention of this repetition of disgrace in my official communication —

Mutiny excited — desertion from Villere's canal by the Louisianians — order thereon see order —
desertion from chef menteur
B. of colour — order thereon — the
other Battalion refuse to march
order thereon —

Louaillers publication order thereon
his arrest – Judge Halls conduct
order thereon –

=

Col. Towsend order thereon –

=

Major Reid will continue this
memoranda or Journal –

[illegible] the line of defence [illegible]
[illegible] Tenters [illegible]
[illegible] ready to be [illegible]
[illegible] ordering to be
[illegible] instantly dismissed

24. [illegible]
[illegible]
Morgan [illegible]
can [illegible]
with his [illegible]
Morgan's was ordered to take
the command.

25. Mandate under instructions
from the Genl —

11th. January order, to Genl
Morgan — to prevent [illegible]
from his camp, constant
complaints, being made
that the [illegible] &c
was stealing sugar from
the country destroying [illegible]
the enemy —

8th. of January order to Genl [illegible]
[illegible] to cross the river
[illegible] with 200 Kentuckians
in addition to those
under Genl. C [illegible]
Dislodge the enemy [illegible]

Genl Adair arrived at Head
Quarters on the 3rd [illegible]
1/2 at La fourche and not
more than 1/3 armed —

order to Genl Coffee 14th. Jany
to hasten down — sent by [illegible]
Gordon express with [illegible]
to notify Colo. Hinds and
others thereof — march day &
night — [illegible] —

Andrew Jackson Sr.

Washington city
April - A.D. 1829

Doctor George Fleming
Louisa V.a.

The Bolivar plum, from Mr Hagner
with the Green guage - the seed of the 1/2 dozen
of each to be sent & planted on the Hermitage

Private-

Memorandum Book of A. Jackson
commencing in april 1829-

april 18th enclosed to the Sec of State
Mr Novel's letter complaining of the
unjust treatment of Mr Rhea our
consul at Brazill, for his enquiry
& report, that instructions might
be given to our minister at that
court on the subject.

Wyandott & Seneca Stock to be noted
in message to next congress. A. J.

April 24th 1829-

Sir
you are appointed to take charge
of the Treasury Department of that office and
to perform the duties of that office
from this time until Mr Ingham
returns to this city
yr mo obt servt
Andrew Jackson

Dr Richard H Bradford
appointed to take charge of the Navy
Dept. in the absence of Mr Branch, dated
april 8th 1829- A. J.

I appoint Thomas H. Gilles to take charge of the office of 4th Auditor during the absence of Mr Amos Kendal

July 29th 1829 —

Private.

Instructions to our Minister who goes to France to be friendly, decorous, & peaceful, but firm, demanding a final answer to our complaints so often and so justly reiterated, and to which there magnanimity & Justice, or a just notion, requires a prompt reply.

The claims known to be Just and which by every principle known to international law ought to be paid, to be selected & placed in one aggregate and fixed as a basis upon which we will close this long controversy - setting off all other claims against those raised against us by France, and which is considered not to be founded in Justice - all claims on both sides prior to the 30th of Septr 1800 is considered to come within the above rule.

Our Minister instructed to propose to France a commercial Treaty on the broad basis of Just reciprocity opening all her ports, colonies included, to our merchant vessels &c &c &c

The minister to France to be charged with obtaining information on the subject

of the modification & improvement of artillery as suggested in a work of Mr. Paixhans which was transmitted by Mr. Gallatin to Mr Adams Sec of State U. States, under date of the 10th of July 1822 (and 30th of August) What ex-periments have been made, and the result of those experiments— Whether favorable to the modification, & experiments of Mr. Paixhans plan or otherwise, & transmit the same to the President of the U. States.

The maxim, provide for war in time of peace; a good one— let us profit by all experience we can obtain. Mr. officers, Mr Paixhans book sent by Mr. Gallatin, is lost, or mislaid, that it cannot be found.

Judge Preble & Vaness, or Woodbury to be sent to the Netherlands next fall, if Congress will appropriate— Hughes to be then provided for by being raised to minister of first grade & sent to some other place

Washington April 24th. 1829

Sir you are appointed to take charge of the Treasury Department and to per-form the duties of that office from this time until the return of S. D. Ingham to this city or ___ &c,

Asbury Dickins Esq } Andrew Jackson

To keep peace on our Borders, the privilege of British traders, entering our Territory & trading with the Indians ought to be done away

Our criminal code is not respect counterfeit, silver, coin defective — It ought to be a criminal offence to put into circulation any base silver coin — this, from our proximity to Texas, is absolutely necessary for the safety of our citizens, & our revenue —

The claims for military services, in New England, during the late war to be examined, and if any services have been rendered, and if other States for similar services have been paid, to be recommended to congress at their next session to be paid — but none other to be recommended to be paid, as it would be a premium offered to our citizens to commit Treason in time of war —

Washington May 13th, 1829

Mr ~~[illegible]~~ George Reynolds

Sir you are appointed to take charge of the office of the second comptroller of the Treasury & perform the duties thereof from this time until the return of Mr Hill to this city or my other [illegible]. Andrew Jackson

A frigate to be put in readiness to carry out the ministers to London France & consul to Algiers & then relieve the Java which is to be ordered on her return to touch at Lisbon & receive the body of [illegible] at that station - then proceed to the United States ~~[illegible]~~. The Secy. of the Navy directed to carry into effect the above May 16th 1829 the frigate to be ready by the first of July next.

The diplomatic dress at Ghent as ordered by the President abrogated, and a plain dress directed.

May 21st 1829. Recd from Genl Duff Green an extract of a letter Doctor Marable to Genl G. containing declarations of Govr. Houston late of Tennessee, that he would conquer Mexico or Texas, & be worth two millions in two years &c - Believing this to be the effusions of a distempered brain, but as a precautionary measure I directed the Secretary of War to write & enclose to the acting Govr. of Arkansas this extract, and instruct him if such illegal project should be discovered to exist to take prompt measures to put it down & to give the Government the earliest intelligence of such illegal enterprise with the names of all those who may be concerned therein.

Early attention to be paid to the

boundary between the U. States and Mexico- The line must be altered or by it part of our citizens are thrown into the province of Texas, & the Caddo tribe of Indians to whom we have been paying an annuity for years- Mr Dunn's letter- This to be brought before Congress

There has been a great noise made about removals- This to be brought before Congress with the causes- with the propriety of passing a law vacating all offices periodically- then the good can be reappointed, & the bad - defaulters, left out without murmurs- Now, every man who has been in office a few years, believes he has a life estate in it, a vested right, & if it has been held 20 years or upwards, not only a vested right, but that it ought to descend to his children, & if no children then the next of kin- This is not the principles of our government. It is rotation in office that will perpetuate our liberty.

The System of Smuggling entered into by our citizens with the British Ma=nufacturers is alarming to us, & must be ruinous to our revenue, every exertion & vigilance by ~~means~~ our officers & agents must be re=sorted to, & the aid of the manufacturers called in, whose interests are so much affected by it, & ruin to their establish=ments inevitable if smuggling cannot be put down — English goods are now selling in Newyork &c at 33 1/3 pct lower than the fair american merchant can afford to sell his goods for —

The attention of Congress must be drawn to a judicious revision of the Tariff — note, whenever any branch of Labour is ~~[illegible]~~ protected more than another, it converts so much capital to that branch, that it is sure to destroy itself, the competition reduces the price of goods below their real cost, stocks & gluts the market, & bankrupts the manufactu=rers — June 20th 1829 — Mr Swartwout in=structed as to Smuggling, to have it detected A. J

The Honble Mr Nobles letter on the subject of the
suspension of the sales of public land - on
a consultation with Major Graham
on this day (23d June 1829) we unite in opinion
that ~~that~~ there can be no necessity for prolong
-ing the sales of forfeited or relinquished land-
all who wishes can get land, at the minimum
price by entry, so soon as the lands are offered
for sale - and it is probable, after the lands are
offered for sale, that which remains un-
-sold, and are not entered in a short space of time will be graduated
in price - the country has been much
injured by the suspension of the sales, partic
-ularly in alabama, where the emigration
to it has been suspended by reason, that those
moving there cannot obtain titles to land
& will not settle on land not their own -

Instructed Mr Ingham Sec. of Treasury
to engage Mr McLane to obtain in London ~~the~~
correct weights & measures, & pendulum -

This 3. ~~July~~ gave instructions to Sec. of the
navy to pay Marshal of E. Florida, Waters
Smith $4002 out of the appropriation
for expences of Africans wrecked on the
Florida coast & then W. Stoles -

appointed Doctor Sheppherd to superintend the Navy Deptl in the absence of the Secretary of the Navy
July 8th 1829—

appointed Major Wm B. Lewis to superintend the war Deptl in the absence of the Secy of war.
July 8th 1829—

Directed the agent of the Treasury Mr Pleasonton to examine how it has happened that Collector Dr Peck's defaults has been, without the know-ledge of him or any other officer of the Revenue & report thereon, that measures may be taken that the like again ~~[illegible]~~ must not take place and also that he report how much is due on Judgts to the U. States, when recovered, and the probability of the debt being made & ~~[illegible]~~ how much is in the hands of the different marshals, &c &c— How much is due by defaulters to the Government and not

in suit & how long since the debt become due - & statistical account added to it, either by Legislation, or by the establishment of rules, whereby the President & his Secretary are clothed with proper legal enactment to make them, must be made to secure the collection of the public dues that no officer belonging to, or having connection with the recovery of the public debts, can have money in his hands without it being known at the proper office

A rule to be established, so far as it can be, to close all accounts of two years standing.

An order to be taken to preserve the live oak growing on the land of the United States, agreeable to the 3rd section of the act approved 3rd of March 1827. and also as to the dry Docks at Gosport & Charleston Massachusetts - note written to Major Graham for a report on this subject. July 16th 1829 -

Massachusetts — her claims for pay=
=ment of her Militia ~~[illegible]~~ for servi=
=ces, in the late war to be brought before
Congress — and such part of the Militia
services recommended ~~[illegible]~~ be paid, as has
been for like services to other States ~~[illegible]~~ paid
~~[illegible]~~ paid the allowance not,
it would hereafter, be ~~[illegible]~~ out
to the unfaithful to our government
a premium to oppose it & to foment=
=ment treason

Project for adding security to our revenue & improve our Navy &c.

The Revenue Cutters to be built in our Navy yards & not by contract. When the Sec. of the Treasury wants a Cutter, to make requisition on the Navy Dept. the ex=penses of which to be charged to the Revenue Service. The Cutters ought to be the very best sailers, & to be such, must be of the very best models, and can be built of refuse timber, left from our 74s, frigates, & Sloops of war. This would be good economy. Besides, it is alledged that our Cutters are of a poor class & dull sailers which is injurious to the safety of our revenue, as they are outsailed by almost all boys craft, and merchantmen.

Lieutenants of the Navy ought to be given the command of our Cutters & their subordinate officers taken from the midshipmen, and be under the exclusive command, orders, & controle of the Secretary of the Treasury. This would be guarding our revenue much better than the present mode, whilst we are im=

=proving the Navy, ~~that great~~ the strong arm of our national defence. Whilst we are by this change producing a ~~great pecuniary~~ saving to the nation, we are giving ~~much~~ employ=ment to our Navy officers, where they will be improving their seamanship and gaining knowledge of our coasts & inlets, & when not employed in the active duty of ~~collecting~~ guarding our revenue, can be usefully employed in surveying the coasts, harbours, & inlets of their respective cruising ground–

Sent this 16th of Septbr – to the secretary of the Treasury for his consideration

A. Jackson

Message – Bankrupt Law – querie its policy, if recommended, to be general, embracing every one, from the poorest labourer, to greatest merchant, never permitting the debt owing from the revenue to be included, only the security of the body, released, by the Bankrupt law – to include debtors to the Government, would open so many doors to fraud & perjury, that would destroy all security in the collecting our revenue &c, too dangerous to the morals of our citizens to be enacted by Congress or sanctioned by the Govt. – But the change from the credit system to cash duties, the ware house system may be well recommended, as it will afford more

October 3rd 1829 – (note sent out blotted as blotted [?])

83 Mr Ingham will please to furnish the president with the amount of losses by failure to pay bonds at the custom Houses, since the year of 1789 – part of this information, can be easily obtained from the reports on file of former Secretaries of the Treasury – also the amount paid for rent of Store, & ware Houses, for the last six years.

It appears to me that it would be a great saving, as well as great security to our revenue, if all collectors were made salary officers, as then their emoluments would not depend upon the amount of goods bonded – this being the case, the Collectors would be more exact in the enquiry as to the real situation & solvency of ~~capacity~~ the bondsmen to the revenue bond – where they receive a percentage, the object is, to get the goods bonded which secures to the Collectors their percentage – the case at Bombay [?] illustrates [?] this –

83

I would draw the attention of Congress to a review of the Pension laws, and barely remark, that whilst every revolutionary soldier who aided in procuring the blessings of that liberty we now enjoy, and is in want, has imperious claims upon his country that he should be sustained in comfort, in his decline of life; great care ought to be taken, that none but those who did aid in that glorious struggle, should be entitled to the munificence of their government. To those, might be added, all ~~those~~ who in the late war by wounds & privations have been rendered unfit to sustain themselves by manual labour, if any there are who are not provided for under existing laws. ~~This~~ review of the Pension laws has become the more necessary from a very late order of the sec of war ~~under~~ the late administration extending the ~~fund~~ terms of admission on the pension rolls incompatible with the former construction of the laws & the rules promulgated under them by his predecessor [illegible] — This new regulation was viewed by me as an act of legislation, not within the constitution=

=tional powers, of the Executive, and as soon as made known to me, I ordered its suspension, & a strict adherence to the law & the ^formerly established rules, ^under it, that had been so long the ~~rule~~ guide of the Executive Government, in placing soldiers on the pension rolls – But before this suspension, a debt had accrued under this late rule, to the amount of $ for which there had been no appropriation or requisition for one – and the re=quisition made by the late Sec. of war, for the payment of pensions, list, as it existed at the time the requi=sition was made, has fell short of the amount due for the year 1829 $

I therefore call the immediate attention of congress to this subject that an appro=priation may be made to meet this arrearage –

3 The Revenue, where a reduction of duties are recommended to congress, of ways, let it be gradual –

Stephen Thatcher Collector of Passamaquoddy, Judge Preble, says, ought to retained, & pledges himself for the rectitude of his conduct— his time expires 1st of April 1830— requests him to be renominated.

Judge Emmerson & Govr Vose says the Navy agent Harris must be removed and Mr Broadhead appointed in his stead— all parties in Boston expect it— Judge E. is to furnish documents to shew the wish of the great body of both parties in Boston that he must be removed.

Mr Lewis report on the subject of messengers to be considered & if approved to be brought to the view of Congress in a message

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The letters of recommendation to the President & heads of Departments for office belong to the Executive, and ought not to be sent to committees

of the Senate &c. The Senate have no right to call for them. The President has the constitutional power to appoint, he does this on the best information he has obtained, and it is enough for them, informally to know, that the officer was deemed both honest, fit, & capable. The letters will therefore be safely kept in the Depts and the Head thereof, will if applied to answer the enquiry as above:

Change suggested.

1st The first Comptroller to be relieved from the superintendence of the customs, and that duty to be assigned by some officer created by law for that purpose. This appears to have been attempted by a bill to "establish a commissioner of customs", by the committee of ways & means ~~[illegible]~~ years ago, by the examine the necessity.

2d It is believed that the commissioner of the General Land Office should be relieved from the examination of the accounts of the receivers of public money; this duty assigned to the Fifth auditor.

3d That the duties of the 2 & 3d auditors be assigned to one of those officers; and that the other be charged with the examination of the Post Office accounts. The P.O. accounts is now assigned to 5th auditor.

Note — This requires legislation.

Northern & Northwestern boundary.
The Grand Portage on Lake Superior, our boundary by treaty stipulation. The British claim to the bottom of the Lake being the South west point of said Lake. The treaty when refered to will settle this matter & Mitchel's map being refered to by the treaty will be the guide & must settle this dispute. The falls of St Marys, is another disputed point. who owns the Island, the map & treaty here also the guide.

Claims on France.
3 kinds. first the antwerp claims about three millions $
2 Those burnt at sea without condemnation These are so just that France has, nor cannot make an argument against them
3rd. clap disputed. The best mode to obtain the consent of claimants to designate a gross amount, & urge the question with energy & payment cannot be refused, by a magnanimous & just nation who has admitted the justice of the claims.

Bank— Message for 1830—

The importance of this subject requires that I should again call the attention of Congress to the approaching expiration of the Charter of the United States Bank. Nothing has occurred to lessen, in any degree, the dangers which many of our wisest statesmen apprehend from that institution as at present organised, nor is the opinion of its unconstitutionality less extensive or less deeply impressed. In the spirit of improvement and compromise which distinguishes our country and institutions, it becomes us to enquire, whether it be not possible to secure the advantages afforded by the present Bank, through the agency of a Bank of the United States so modified in its principles and structure as to obviate constitutional and other objections.

It is thought practicable to organise such a Bank with the necessary offices as a Branch of the Treasury Department, based on the public deposits, without power to make loans or purchase property, which shall remit the funds of the Govt. without charge, and find a moderate premium upon exchange furnished private citizens, the means of paying its expenses. Not being a corporate body, having no stockholders, debtors or property, and but

few officers, it would not be obnoxious to the constitutional
objections which are urged against the present Bank;
and having no means to operate on the hopes, fears or
interests of large masses of the community, it would
be shorn of the influence which makes that Bank
formidable. The States would be strengthened by having
in their hands the means of furnishing the
local paper currency through their own Banks,
while the Bank of the United States, though
issuing no paper, would check the issues of the
State Banks by taking their notes in deposit
and for exchange only so long as they continue
to be redeemed with specie. In times of public
emergency, the capacities of such an institution
might be enlarged by act of Congress.

These suggestions are made, not so much as a
recommendation, as with a view of calling the
attention of Congress to the possible modification
of a system which cannot continue to exist
in its present form, without occasional
collisions with the local authorities and perpe-
-tual apprehensions and discontents on the
part of the States and the people.

Therefore the following

outlines of a Substitute of the United States Bank. is presented for your consideration

The objections to the present Bank are

1. It is unconstitutional;

2. It is dangerous to Liberty.

Yet this Bank renders important services to the Government and the country.

It cheapens and facilitates all the fiscal operations of the government.

~~It tends~~ in some degree to equalise domestic exchange, and produce a sound and uniform currency.

A Substitute for the present Bank is desired, which shall yield all its benefits, and be obnoxious to none of its objections.

Banks do two kinds of business:

1 They discount notes and bills for which they give their own paper.

2" They deal in exchange.

These two kind of business have no necessary connection. There may be Banks of discount exclusively, and Banks of exchange exclusively. Both may be Banks of deposit.

The United States may establish a Bank of Exchange exclusively based on Government and individual deposites.

This Bank may have branches wherever the government may think necessary.

They may be clothed only with the power to sell exchange on each other; and required to transmit government funds without charge.

They need only have such officers as their duty require, checked by frequent and rigid inspection.

The whole may be placed under the direction of the secretary of the Treasury, through a separate bureau.

The present bank is unconstitutional:

1. Because it is a corporation which Congress has no constitutional power to establish.

2. Because it withdraws the business of Bank discounts and the property of private citizens from the operation of State laws, and particularly from the taxing power of the states in which it is employed.

3 Because it purchases lands and other real estate within the States without their consent, under an authority purporting to be derived from congress, whose

the General Government itself possesses no such constitutional power.

The proposed Substitute would not be a corporation, but a branch of the Treasury Department; it would hold no property real or personal, and would withdraw none from the operation of the State laws.

The present Bank is dangerous to Liberty.

1. Because, in the number, wealth and standing of its officers and stockholders, in its power to make loans or withhold them; to call oppressively upon its debtors or indulge them, build houses, rent lands & houses, and make donations for political or other purposes, it embodies a fearful influence which may be wielded for the aggrandizement of a favorite individual, a particular interest, or a separate party.

2. Because it concentrates in the hands of a few men, a power over the money of the country, which may be perverted to the oppression of the people, and in times of public calamity, to the embarrassment of the government.

3. Because much of its stock is owned by foreigners, through the management of which an avenue is opened to a foreign influence in the most vital concerns of the Republic.

4. Because it is always governed by interest and will ever support him who supports it. An ambitious or dishonest President may thus always unite all its power and influence in his support, while an honest one who thwarts its views, will never fail to encounter the weight of its opposition.

~~5. Because it is always~~

5. It weakens the States and strengthens the General Government.

The proposed substitute would have few officers, and no stockholders, make no loans, have no debtors, build no houses, rent no lands or houses make no donations, and would be entirely destitute of the influence which arises from the hopes, ~~and~~ fears and avarice of thousands. It would oppress no man, and being part of the government, would always aid its operations.

~~It would afford no means~~
It would have no stock and could not be wasted by foreign influence. It would afford less aid to dishonest Presidents than the present Bank, and would never be opposed to an honest one. It would strengthen the States, by leaving to their Banks the whole business of discounts and the furnishing the local currency. It would strengthen the general Government less than the Custom Houses, immeasurably less than the Post offices, and less than the present Bank when it acts in concert with the national authorities.

The proposed substitute would cheapen and facilitate all the fiscal operations of the government as completely as the present Bank.

It would in the same manner tend to equalize exchange. Until since the last annual message of the President, the present Bank charged a premium on all exchanges, except for government, public officers, and members of Congress. This practice will, doubtless, be resumed

should that Bank be rechartered. The profits of the exchange business heretofore done, was sufficient, it is believed, to pay all the expenses of the Bank. The proposed substitute may charge such a premium on exchanges, excepting those for the Government, as will suffice to pay its expenses.

It might be made in the same manner although not in the same degree, to operate upon the currency. By taking the paper of such local Banks in the vicinity as pay specie, it would restrain over-issues and tend to preserve the currency in a sound state

The usual deposites of the government would be an ample capital for a Bank of exchange. Independent of its capital, the Bank would always have cash on hand equal to its outstanding Bills of exchange

But it might not be at the right points, and a small capital would be necessary to meet unequal calls at these points untill the equilibrium could be restored. Exchange works in a circle. It is against the west in favour of the East, against the East in favour of the south, and against the south in favour of the west. By constant interchange of information and judicious management, little funds would be wanted at either point, other than those that would be raised by selling exchange on another

-over-

In time of war the capacities of this Bank
might be increased by act of Congress.
Such a Bank would not be unconsti-
-tutional, nor dangerous to liberty, and
would yield to the government all the
facilities afforded by the present Bank.
further than this perhaps the general
government ought not to look. But its
incidental advantages to the country
would scarcely be inferior to those af-
-forded by the present Bank while it
would destroy a favored monoply.
This continued in page marked (96)
Again the Bank as unconstitutional
and impolitic

Unconstitutional. Because
1st Congress has no power to legislate upon
any subject, unless such power is expressly
given in some part of the constitution,
or is necessary and proper for the attain-
-ment of some object for the attainment
of which there is an express grant.

Before the formation of the Federal
constitution each State was sovereign,
and independent, within its own limits,
and no State is deprived by the Constitution
of any power it once possessed, unless

in the exercise of its own Sovereign powers it has made an express surrender to the Federal Government.

Who can point his finger to the paragraph in the constitution which this power is conferred? I answer no person. Had it intended to confer so important a power by the provisions of that instrument, the grant would have been clear and explicit. Now all ought to admit, if such power exists, it is doubtful from what paragraph it is to be infered. Some of its advocates deduce it from one passage, some from another, and the very circumstance of this disagreement, is a strong argument that it cannot be legitimately deduced from any of the grants of power which have been made. It has been very appropriately termed "a vagrant power crawling over the constitution for a soft place in the instrument, where it can make a settlement."

It cannot as, I think, be fairly contended that a Bank owned by individuals in whole, or in part, is necessary to enable congress to exercise

Hermitage 21st Decr 1842

The leaves of this book cut out at this place were ~~torn~~ cut by me at the request of Genl Andrew Jackson and contained copies of letters from John Rhea to James Monroe from Andrew Jackson to John Rhea and a statement of John Overton's. All in relation to Genl Jackson's conduct in the Indian War.

James A. McLaughlin

Message

Congratulate the Nation on the prosperity & happiness of the Country &c &c. —

1st In the two Messages which I have heretofore communicated to Congress, I had felt it to be my duty to go into full and minute examinations and discussions of the various Subjects of National consignments which are subject to the joint supervision and direction of the Legislative and Executive Deptmts of the Government. —
That the circumstance of my having done so, supercedes the necessity of going at large over the same topic's and will induce me to content myself on the present occasion with a reference to the prominent points of policy which in the administration of the Executive Depastmt of the Government, I have considered it to be the interest of the U. States to adopt & enforce; with a brief review, of the progress which has been made in their prosecution— to what has been & what remains to be done. —

2d To protect the National honor— preserve peace— extend the range and improve the condition of our Foreign Commerce, obtain redress for past infractions upon the rights of our citizens by Foreign Nations, and require all =

all practicable guarantees for their future security and respect:—

3. To preserve the Indian Tribes within our borders from their present miseries and ultimate extinction to which by their condition they are unavoidably exposed; and at the same time dry up a prolific source of collision between the Federal power & the States in which they reside, secure them from burthen's in the highest degree onerous to both, without producing correspondent advantages to the Indian's.—

IIII:th To pay the National debt at the earliest possible period and by mean's the least burthensome to the people.—

Vth To ensure the ability of the Government to effect that great object. Save the constitution from violation, and preserve the purity of our legislation by putting an end to all appropriation's from the general fund to local objects, and by deferring, with enumerated and unavoidable exception's, such appropriations for improvement's of general extent, as Congress may deem warrantable, until the National debt is paid, and some general system established calculated to ensure an honest, equitable & salutary distribution of the surplus fund of the Nation, when such may exist:—

VI.th To give stability and consequent usefulness to our system of protecting duties, and under its opperation as little oppression as possible to those who think that they do not share in its benefits by a judicious and reasonable revision of the present tarriff — a revision which shall secure to it the character of a national measure, adopted for National, not private ends. —

VII.th — To extend our judiciary system to all the States so as to secure to those who do not yet enjoy it, what all are entitled to; — the able, equal, and impartial administration of justice in civil and criminal cases. —

VIII.th — To preserve to the officers of the army and Navy especially the character which belongs to military men, by rendering wholly independent of the officers of the Government for the nature and ammount of their compensation by placing it upon the footing of positive, and specific statute regulations & to secure a faithful administration of the fiscal affairs of the Government by circumscribing to the utmost practicable extent, the range of official discretion in auditing and settling of public accounts — a discretion which is every where the fruitful source of favoritism, prodigality and ultimate peculation. —

If other topics enumerate them then review what has been done under the different heads &c &c — and upon those points which I have repeatedly recommended to Congress & which have not been acted upon delicately but clearly state them, and that I have a continued & increased confidence in the efficiency of those measures; and my earnest desire that they may occupy the early attention of the present Congress — expatiate on the degrading situation and condition in which the pay of the Naval officers as it now stands, & the character of the temporary legislation which has been resorted to in their behalf. —

Our Foreign relations — repeat what has been done without ostentation — The West India trade — that as was expected, some difficulty had arisen in giving effect to the arrangement &c &c — Mr McLane can give a full & fair view of this subject. —

The Turkish Treaty, if the Port exchanges we must say some handsome things contrary put the saddle on the right horse. — The Treaty with Denmark — Spain — the steps taken with her — Portugal — Columbia, —

the duties reduced – Treaty with Mexico – France & our claims – Russia &c – the Indian question must be brought before Congress in a strong and efficient manner –
the North East boundary – a special Message on this subject. —

Again the U. S. Bank is unconstitutional and impolitic

unconstitutional. Because

1st Congress has no power to legislate upon any Subject, unless such power is expressly given in some part of the constitution, or is necessary and proper for the attainment of some object for the attainment of which there is an express grant.

Before the formation of the Federal constitution each State was sovereign, and independent, within its own limits, and no State is deprived by the constitution of any it once possessed, unless in the exercis[e] of its own sovereign powers it has made an express surrender to the Federal Government.

Who can point his finger to the paragraph in the constitution by which this power i[s] confered? I answer no person. Had it been intended to confer so important a power by the framers of the ~~constitution~~ instrument, the grant would have been clear and explicit. Now all ought to admit if such power exist it is doubtful from what paragraph it is to be infer[red] some of its advocates deduce it from one

passage some from another, and the very circum-
stance of their disagreement, is a strong argument
that it cannot be, legitimately, deduced from
any of the grants of power which have been made
- It has been very appropriately termed a
"vagrant power crawling over the constitution,
feeling for a <u>soft</u> <u>place</u> in the instrument,
where it can make a settlement."

It cannot so, I think, be fairly contended
that a Bank owned by <u>individuals</u> in ~~which~~
whole, or in part, is necessary to enable Congress
to exercise the power granted "to lay and
collect taxes, duties, imposts, and excises, to pay
the debts and provide for the common defence
and general welfare."

The taxes, duties, imposts and excises may, and
must be laid without the aid of a Bank, and they
may very conveniently, be collected, without
the aid of a such Bank created by Congress- In like
manner the monies thus collected may be paid
out through the agency of either individuals,
or of Banks created by State authorities. To
answer any of those purposes it appears
the Bank is not necessary.

A strong objection to infer a power to create

the Bank from this clause is, that if the Bank were created it would not answer the purposes of either collecting or paying out the taxes &c. unless you also vest in such Bank the power to establish Branches at such places in the respective States as the Bank may choose without the consent of the States. This cannot be done without inferring a power, from, an inferred power, which would violate the sovereign rights of the States, and in many instances sacrific~~ing~~ their interests likewise —

From the granted power "to coin money, regulate the value thereof, and of foreign coin, and fix the Standard of weights and measures," it appears very unfair to infer that Congress has a power to incorporate a Banking company — This confers a power only to coin metals into money and fix its value as well as the value of foreign coin — In this there is no hint given by which we can suppose notes or paper money was intended to be used as a Standard of value, the money is to be coined, its value fixed — that of foreign coins settled and the weights regulated — all clearly pointing to a metalic currency — Could any man seriously urge that from this clause Congress has a power to regulate the value of —

of foreign Bank Notes - a power to regulate the value of foreign coin gives no power to regulate the value of Notes upon a Bank in England or France; but simply to fix the value of metalic coins of those and other foreign States when used and circulated in the United States - And yet, if from the words to coin money, a power is deduced to create a Bank to issue paper money, the same course of reasoning must confer a power to fix the value of foreign Notes from the words, "to regulate the value of foreign coin," which it is not believed any person will seriously contend for -

Other considerations I think satisfactorily shew the framers of the Constitution never intended to give Congress the power claimed -
Each State has a Republican form of Government granted by this same constitution - This form was intended to secure substantial benefits - among these it is essential that each State should have the power if she chooses to exercise it to impose for purposes taxes upon the persons and property within her limits - Yield to the States respectively this power, as one reserved, and you put it in the power of the States to prevent a Federal Bank from being established or remaining within their limits -

The federal soveriegn might will one way, and the State soveriegnty the other in relation to the same matter at the same time — These inconsistent powers cannot exist, and to me it is inconceivable that the States ever intended to part with so essential a power as that of taxation; and yet we must believe they have done so, if we admit that Congress has the power to incorporate the Bank. — But suppose we admit that ~~Congress~~ from the power to coin money &c — Congress has the power to regulate the currency both Metallic and paper, still it has no power to create the Bank; because if that power is conferred for such purpose, we must allow Congress power to transfer to a few individuals, Directors or Stockholders the powers of a Soveriegn upon a subject of vital importance to the well being of the whole society — This cannot have been the intention of the framers of the constitution — Whatever soveriegn powers are conferred upon Congress must be exercised by Congress and cannot be transfered to any other body, to be created by itself. — But if Congress had a general power to create a corporation for purposes of Banking, it cannot have the power to create a corporation composed partly of Individuals and partly of the Government itself. —

A portion of the funds constituting the Capital of this Bank belongs to the Federal Government — exclusive privileges are granted for twenty years, the money of the Government is intermixed with that of individuals and a monopoly guaranteed during the existence of the Charter — In principle and in fact a partnership is formed between the Government and a part of the citizens, by virtue of which those individuals have privileges and interests supported, aided and sanctioned separate and distinct from the rest of the community, whereas the intention of the Federal Government was to keep up equality, and not to create separate interests — a separate order of men, patronized, privileged and sustained by the powers and influence of the United States and aided by their funds may thus be established, and perpetuated, which in time may constitute a monied aristocracy more odious and more dangerous to liberty, than an established order of Nobility, — So cautious were the framers of the constitution as to provide that "Congress might exercise exclusive legislation in all cases whatsoever over such district, not "exceeding ten miles square, as may by cession of partic-"ular States, and the acceptance of Congress become "the seat of Government of the United States, and to —

"and to exercise like authority over all places
"purchased by the consent of the legislature of
"the State in which the same shall be, for the
"erection of Forts, magazines, arsenals, dock yards
"and other needful buildings, — thereby holding
out the idea, by implication, in the strongest
manner that Congress should not have the
power to become the purchaser and propriter
without the consent of the States of landed estates
within their limits; yet if the power conferred by
this Charter is yielded the government may by
creating a corporation, itself a member,
purchases houses lands and other real estate
within the limits of the respective States, not
only without, but against their consent,
to any amount the corporation may choose,
have them occupied, cultivated and improved
with their own capital or leased out to
tenants, or leave them unoccupied as they
may judge best and the time is not distant
when they may claim if they have not already
done so that these lands houses &c. are beyond
the taxing power of the States. — A power
of this kind is so decisively destructive of the
Sovereignty and vital interests of the States —

that I cannot suppose it was ever granted by the States to the Federal Government —

It has been sometimes urged that this question of power to charter the Bank has been settled by legislative judicial and executive determinations I answer no — It is one of the cases in which precedent ought not readily to conclude us — "A frequent recurrence to fundamental principles is essential to the preservation of liberty" — This is one of the cases in which that maxim should have its full influence, for if this power is once yielded and it is distinctly understood that it is not again to be questioned, I firmly believe a monopoly is created, a privilege order established that will eventually change the fundamental principles of our Government. —

Impolitic —

But if we yield to the Federal Government this power, it is one which ought not to be exercised — Because 1st It puts the community at large and their property at the mercy of a corporation which will in the pursuit of its own interest — It will have millions of Capital — the deposits of the Government, averaging probably about six millions more, as well as the deposits of Individuals to a much larger amount — With these means and backed =

by the name and influence of the United States, it is to have the power to establish as many Branches in the respective States as it chooses, and these States are to have no power to impose or collect any tax— When it is the interest of the Bank to give an artificial value to property they will accomodate freely, increase beyond the interest of society the amount of the circulating medium and thus give a high nominal value to property, and whenever it suits their purposes, they can curtail their accommodations call upon many debtors at the same time, lessen the circulating medium to any amount they choose and thus depress the price of property and become the purchasers of it for trifling considerations— They will likewise have the power of settling the rates of exchange both foreign and domestic at such rates as may best promote their own interests—making them low when they wish to purchase Bills, and high whenever it may best suit them to sell— These are powers so vast, and the temptations to use them so great, that no man who loves his Country and wishes society protected against avarice, and injustice, ought willingly to see them conferred, upon any set of men whatever.—

2nd The charter prohibits the Bank from loaning to the Government without a law; but there is nothing to compel them to make a loan in case a law should authorise it, no matter how urgent or pressing the wants of the Government may be — thus the Government may be placed at the mercy of the Bank in times of public calamity and distress —

3d The Directors of the Bank through donations from its extensive funds and other uses of them may operate upon public opinion injuriously in political or party struggles. —

4th Foreigners now are, and may hereafter be to much greater extent, owners of Stock and by the monied connexion thus formed between them the Government and citizen Stockholders an avenue is opened for the corrupting influence of foreign governments in the political concerns of the American people, which it is to be feared will prove ultimately destructive of our best interests. —

5th It has failed in time past, and will do so in future, if it be its interest to accomplish the objects for which it was chartered — It does not furnish a paper currency signed by the officers of the principal Bank, with the genuineness of which, society can readily inform themselves, and which can be conveniently converted into Specie:

but on the contrary has substituted for notes of five, and ten, dollars, drafts, or orders signed by the Presidents of the respective Branches, addressed to the Cashier of the Principal Bank in Philadelphia, and payable there — thus multiplying signatures contrary to the intention of the Charter, and to an extent which puts it out of the power of Society to distinguish between the genuine and the counterfeit, and if they could do so, fixes the place of payment so distant from the places of the issues as to preclude the probability of a call for Specie at the place of payment.—

6th When such Bank shall have been a short time in operation and its Branches planted in the respective States it can and probably will control the elections, and through them the politics of the Country.— It will always be governed by a view of its own interest, supporting those who will forward its interest, and opposing those who may have independence enough to resist, or object to its unjust pretentions.— The time of the application for a renewal of the Charter is a practical proof of this position— The present Charter does not expire till the Spring 1836— yet the application is made

and passed at the present Session for a renewal as the Presidential Election will take place before another Session of Congress, from a belief that the Chief Magistrate will not dare to provoke their opposition to his reelection by freely exercising his Constitutional power should a Bill be now presented for his Signature. Should this bold attempt be yielded to, the Charter will be made perpetual by the same means, no matter how injuriously it may be operating on society at large.—

7th If we admit that the Federal Government has the power to incorporate individuals to enable them to carry on a Banking business and that the interest of the Government as well as of society requires an exercise of power still I deny that another Charter ought to be granted to the Stockholders of the existing Bank— They have had the exclusive privilege for twenty years, why not make a new Charter letting all others of our own Citizens have an equal opportunity to become and thus partake of the benefits— Equality and fairness would require that— shall it be allowed that the old Stockholders many of them foreigners shall have this privilege to the exclusion of every other citizen: Surely this is unreasonable and unjust, more especially when others are not only=

only willing but anxious to obtain this privilege
upon terms, more favorable to the Government and
more respectful to the Sovereignty of the States—
Until the affairs of the present Bank shall have
been wound up,^ who can tell whether its business
and its transactions, fully inves=
=tigated, by commissioners
has been profitable or the reverse— We have no
information who the debtors or Indorsers are—
How many are insolvent or the reverse— We see
that in a few months specie has sunk about
five millions of dollars, while the notes in
circulation have increased about the like sum—
thus while their liabilities to pay are increasing,
their capacity to pay is decreasing— Most
mercantile establishments which do a large business,
especially upon credit, in the course of very few
years find it their interest voluntarily to close
their concerns, by paying ~~all~~ they owe, and collecting
what is due— and this for the purpose of ascertaining
certainly their situation— Is it not vastly more
important the Bank shall be compelled to do so—
It will then be ascertained and never till then, what
uses have been made of their money, whether
it has been legally or illegally employed—
whether their debtors are solvent or the reverse—
In short in closing the concern a flood of

light will be shed upon the operations of Bank institutions, from which the public can determine whether they ought to be tolerated in society, or discarded as unfriendly to the interests of the community and dangerous to our free institutions— By rechartering the existing Bank you smother up and conceal all improprieties illegalities and abuses for another twenty years and this in favor of those who have less claim than any other citizens— By a new Charter you obtain new benefits, and secure every facility for the operations of Government and acquire a practical knowledge from which a correct judgement whether when the new Charter expires another ought ever to be granted, and if so upon what terms.——

~~ Message, for Decbr. 1832 ~~

first
Revive the matters of a general and national concern recommended in my various & previous messages to Congress and not acted on by that body

2d. Revive the principles laid down in my veto on the Maysville road bill and Harbour bill with a recommendation to amend the constitution so as to embrace a general system of improvement, and defining what shall be considered general and national, from that which is local what shall be confined to appropriations by congress, and what shall be considered local, for which no appropriations shall be made by congress.

3d. Recommend a review of the tariff, that it be reduced to the real wants of the Government, and an amendment of the constitution so as to confine congress in all their laws for raising revenue to this object, and in their laws for counter=acting foreign policy that may be injurious to our national interests shall be con=fined

articles which enter into the means
of our national defence, and the
raw material the product of our own
country; this alone can assuage the continued
excitement produced by constructive powers
and will put to rest the continued threatenings
of disunion by the ~~[illegible]~~ States - here
note the farewell address of washington to make
the comment, "that ours is a government of permanent #

The U. S. Bank - its situation exposed and
laid before congress

& upon experiment, if any alteration be found necessary refer it to the people

Nullification in the South to be carefully watched.

After playing off the farce for several years, Calhoun & co, at length succeeds to obtain a majority, an extra session of the Legislature is called (the new members elected who under the constitution of their State had no right to seats until the constitutional day for the annual meeting compose it) and the edict recorded for the call of a convention on the 19th of October 1832–

On the 7th instructions sent to the Collector on this subject how the revenue laws are to executed, and two companies of regulars ordered to reinforce the garrisons in the port of Charleston and George Breathitt Esqr, sent with the instructions to Collector, and instructions from the President to enquire into the real views of these nullifiers, and whether any officers of the Genl Govt. are aiding, advising and abetting in this wicked plan, that proper steps may be taken for their prosecution & conviction

A. J.

Novbr 1832 -

The Bank - Enquiry whether it has not violated its charter, and whether its present situation does not require, for the safety of the Government, that the U. States deposits be withdrawn from it - attention to this an imperious duty by the Executive and Secretary of the Treasury -

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LAW REPORT.

COURT OF CHANCERY, MONDAY, APRIL 16.

The LORD CHANCELLOR took his seat in the form usually observed on the first day of term.

THE KING OF SPAIN V. HULLETT.—HULLETT V. THE KING OF SPAIN.

MR. SOLICITOR-GENERAL, with whom was SIR CHARLES WETHERELL, brought before the Court the frequently-discussed question in these suits, as to whether the personal answer of his Majesty the King of Spain, to the cross bill filed by the defendant in the original suit, could be dispensed with. The substance of the motion was, to discharge an order of the Vice-Chancellor, and to permit the answer to a cross bill, filed by the defendants against the King of Spain, to be put in, and sworn to, by one of the King of Spain's ministers. The original bill was filed by the King of Spain against the house of Hullett and Co. of London, calling upon them to pay to his Majesty a sum of money which was deposited with them by a third person, who was commissioned on the part of Spain to receive it from the Government of France, as an indemnity to Spanish subjects. To this bill the defendants made all the objections possible for the purposes of delay, and, at length, rendered it necessary for the King of Spain to amend his bill. Before that amended bill was put on the file, the defendants, pretending they had a claim on the King of Spain, filed their cross bill, and declined to answer the amended bill of the King of Spain until he individually answered their cross bill. The rule of this court in ordinary cases was, unquestionably, that the cross bill in similar circumstances should be first answered; but the condition of one of the parties in this particular case required that that rule should be dispensed with. The King of Spain could not divest himself of his political character, and descend to the state of a private person to answer this bill as an individual. The fact was apparent that these defendants wanted nothing but delay, and to baffle the plaintiff in the original bill, and to defeat the course of justice. If, as they pretended, the plaintiff could never get a decree of this court in his favour upon his bill, why did they not answer it at once, and come to a hearing on the merits of the cause? If they were so sure of success, they ought to pursue that course which presented the direct, short, and simple mode of attaining it. Instead of doing so, however, they resorted to this mode of delaying their opponent. They filed a cross bill upon a mere pretence, and required the King of Spain individually to answer that bill,—a thing which they knew he could not do,—a thing which was quite impossible for him to do, for he could not divest himself of his capacity of sovereign of a people for whom in this case he was a trustee, and descend to answer the allegations in this bill, and admit or deny the truth of them, and vouch for documents referred to in the cross bill, and swear to the truth of the whole answer. The King of Spain was willing that a full answer should be put in by his Minister of State, and that all the papers and documents should be produced. He was ready to give, by the hands of his Minister, every document, and paper, and explanation, that these defendants could reasonably request by their cross bill; but, for himself, he was incapable of putting in answer to it in the usual form. The learned counsel argued that the case of the King of Spain was like that of a corporation in this country. If a corporation was made defendant to a suit, the answer would be put in by the Town-clerk, or other officer. So also if a *femme covert*, an infant, or lunatic, were made defendant, the next friend or guardian put in the answer, and conducted the suit. These defendants, however, contended for the rule of reciprocity—namely, that as the King of Spain filed a bill and became plaintiff, so also should he, in his own individual capacity, defend the suit against him, and put in his answer to the bill. It was, however, on his part now submitted, that the Court ought, in consideration of the peculiar circumstances of this case, and the station of the King of Spain, and the political character with which he was invested, to dispense with the ordinary rule of practice; because to adhere to it could have no other effect than that of disappointing the ends of justice.

The case on the part of the King of Spain was not concluded when the Court rose at 4 o'clock.

18

Brevet rank - The marine corps, & their emoluments - to be submitted to the atto. Genl for his opinion.

This 6th of June 1829. Mr Whitehead verbally reported that the Honble Mr Webb Judge for the District of Key west, resides at St. Augustine, Florida, holds his court but twice a year, passes in a public vessel, and is absent all the year except in term time, and when a wreck happens, & possession is taken by the marshal there is no authority to adjudicate the case, from which great delay & injury accrues to the owners - on this report, I have directed the Sec of State to write to Judge Webb that he must remove to & reside at Key west or give up his commission. A. J.

= June 9th gave written instructions to tender the vessel that takes out Major Moor to S. America to Genl Harrison & Mr Taylor to bring them home -

It has been reported by the Gentlemen of the Navy & Mr Eckforth, that the Columbus

and Independence, are, in their present condition, good for nothing, must be cut down to frigates, The Washington & Franklin, defective

William Doughty Naval architect at Washing $2200 James owen at $1500

Mr Hart of Newyork $2200 —

~~When ... the Executive undertakes to [illegible] the estimates [illegible] the officers [illegible] specially appro- [illegible] the Executive Legislating [illegible] the Constitution [illegible]~~

Does not the Executive Legislate by approving the Estimates presented to Congress, ~~and~~ when Congress approves them — query, is this not reversing the constitutional order of Legislation — would not the true view of this subject be that the head of the different departments being required by the committees to make out information for them ~~[illegible]~~ an estimate, and the only approval by the president his signature to the appropriation bill — Then, taking the case for his guide, there would no occasion for implication on the subject —

on this 13th Novbr 1829. I enquired of
the first comptroller of the Treasury
whether he had written to Genl P. B
Porter on the subject of the ballance due
the U. States - he answered he had not -
that he had & was waiting for the account
of Mr Vanes to be closed before he
could - that this account was still
open, & requested that the Sec. of State
should draw in favour of Mr Vanes
for the ballance due U. S. before
it could be closed or Mr V. had not perso-
=nally called himself - see the Sec of State
on this subject so soon as he returns
A. J

James Findly son of Govr F. recommended
by Mr Ingham - for atty for western
pennsylvania - this not to be overlooked
when the subject is taken up - A. J.

Judge Gibson - named for Judge of the
U. States - Henry Baldwin, Mr Wilkens,
Mr Binney, Mr Ross & Chieves - & Genl Wolle

Mr Calhoune recommends, Mr John
A. Dix, Cole of the army of the U. States for
Charge de affairs to Europe -

Note on Thursday night Jany 21st 1830 -
it was communicated to me by Major
S. as coming from a member of Congress that Madame
H—s, had said that she would make a party
for the purpose of shewing to the world
that Major & Mrs E. was not fit to be asked, so
that they ought be excluded from society -
on the 22nd had an interview with Mr V. Buren
on night of the 23rd had an interview with Col.
V— who informed he had spoke to Mrs H—s
on the subject who said it was not true -
that Mrs Th—n—n had come to her and after
telling her a thousand things, asked her
if Mrs E. was invited to the party, when
she said she had not - Mrs T. is the niece
of Mrs S-, it is believed, Mrs T. was sent there by
Mrs S. and these gossips gave the signal, &
the parties given at Mr Ing—'s, Mr B—s &
Mr Barneys was in concert - Whether
this is true time will unfold, &
action prompt will follow -
Mr H. to be seen at one oclock on
the 25th instant -
on night of 24th recd a note from
Mr B. & answered it - see note -

January 15th. 1830 It was communicated that a caucus
was held—Genl. G.—H— Col. T. &c when the decision was
that T. would not challenge. E. But the female gossips
should be set to work, to have parties, & not
invite her to them—

The information & recorded on the other page
gives a strong presumption that the above
is true— Time will unfold this base conspi
=racy—it appears to be connected with the
conspiracy of stealing the private papers
from the Navy Department—

On the 19th day of Decbr 1830, an interview was had by the President with Mr Poindexter, Judge Ellis, Genl Hinds, and Judge Grundy on the subject of nominating Col S. D. Hays for the Surveyor Genl office State of M. After explaining the strong & respectable recom=mendations presented to the President urging his pub=lic services, & the claims of his father, the father of his wife, his poverty, and his military services in the last war in the defence of M. against the Indians &c &c - Judge Ellis remarked that he could not join in the recom=mendation of Col Hays as he had recommended another, but if nominated him he would vote for him, Mr Poindexter, by his silence, acquiesced, and Judge Grundy after the Gentlemen with himself passed out of room, returned & said to me, now, you will send up the nomination of Col Hays - I replied I would to morrow, & accordingly did so - the day after his nomination I recd a letter from Mr P. objecting to the nomination - see letters & separate journal -

the rejection of Mr Saml Gwin, and of renomi=
=nated to be incorporated in the Message=
On the 3. of February 1831, the following motion sub=
=mitted by Mr Poindexter was considered and
agreed to by the Senate "Resolved, that it is inexpe=
to appoint a citizen of any State to an office
which may be created, or become vacant,
in any other State of the union within which
such citizen does not reside, without some
evident necessity for such appointment."
Inasmuch as the Senate have not the power to
"appoint" an individual to an office within any
of the States, this resolution must be considered a
understood as having been intended to controle
the President in his nominations. This understanding
of it is confirmed to be correct by reference
to a resolution offered by Mr Poindexter on the 23d
of Decbr 1830 in respect to the appointment of Surveyor
Genl of public Lands south of Tennessee, and the ary
recent rejection of Samuel Gwinn Esqr to be
Register of the Land office at Clinton; Missi"-
The president in matters of appointment is called
upon to discharge a delicate and highly responsible
duty- that he might fulfil, and faithfully and
truly discharge it the constitution does not
confine or restrain him ~~to any [illegible]~~
in his selections to any territorial boundaries,
and any attempt on the part of the Senate, to
impose restraints on the Executive which
were not contemplated by the constitution

must be regarded as without the sphere of their
duty, as acts of usurpation, and by the Ex-
=ecutive firmly resisted. It is highly proper
to pay great regard to the pretensions of applicants
for office residing within the state where the
office is to be filled, and such is & has been the
practice of the Executive, but he does not regard
an individual who like Mr Gwinn has rendered
important services to his country, is poor, & possesses
every necessary qualification to discharge the
duties of the office, disfranchised because he
happens then to be an inhabitant of another
state, particularly when the office is one, the duties
of which appertain to the sale of the public land
which is the property of all the states in common
If the senate have the right to instruct the
president whom it is "inexpedient" to appoint,
before any nomination is made, it also possesses
the right of determining what class or sect of men
it is expedient to appoint, and in fact what
particular individual should be appointed. If
they have the right to confine him to a particular State
the same principle will justify them in restricting
him to an individual. It is not denied but that
that the senate have the power to enforce the
principles of their resolution, as they can continue
to reject the nominations of person who are obnoxious
to it; but the right does not always follow the ability
to do an act. & the president having the perfect right to
nominate, will resist the power. If the Executive
was tamely to submit to the resolution, he would

in effect, surrender the appointing power
to the senate, and thus contravene the ^intentions of^ the consti
=tution. The constitution makes it the duty
of the Executive to nominate, and the senate
to confirm or reject an individual thus
nominated, if he is not honest, ~~fit~~, & capable
but if honest fit & capable, they are bound
by that solemn instrument, to confirm
him, whethersoever in these united States
he may reside - but they have no constitutional
right to instruct the Executive whom he
shall nominate, and whenever such dictation
is attempted, the Executive owes it to him:
=self, the interests of the country, and the
preservation of the constitution in its
primitive purity to resist it with firm
=ness. The constitution declares that "the
citizens of each state shall be entitled to
all priveledges & emoluments of citizens
in the several states". How can this resolu
=tion be reconciled with the spirit ~~of the~~
if not the letter of this declaration?

The Executive for these reasons and
in consequence of the strong recommendations
of James Gwinn, which he presents to
the senate herewith nominates him
as ade

37½

Call upon the Secretary of the Treasury for a report on the insolvent Law for the purpose of laying the subject before congress next session

The claims on Spain, to be adverted in strong but decorous language in the message.

The collectors letter of Newyork, on the subject of stolen jewels ~ referred to the secretary of the Treasury for his instructions, that the jewels be taken into his possession & held subject to the decision of the courts. A Foreign minister cannot apply to a Governor of a state except thro the Government to which he is accredited ~ no power in a governor of a state to deliver to a foreign minister a fugitive from a foreign Government ~ no power in the President unless under an article of treaty, and act of congress pointing out the mode by which he is to be identified, & surrendered ~ no power in a foreign minister, to receive goods subject to duty & smugled, from the smuggler, and to hold them from the penalty of the law, even if stolen by the smuggler ~

Septr. 8th have an interview with P. G. on the subject of altering the contract of mail rout from Phila. to Washington daily, it is now 2 1/2 days &c

The treaty with France being executed, & our claims adjusted for spoliations, during Bonaparts administration, an application to Naples with prospect of success may now be made - under our rule to a positive demand for justice, and ask nothing but what is right, and permit nothing that is wrong - and instructions to our minister at Madrid, again to demand of Spain, whether she will adjust ~~our~~ claims for her spoliations on our commerce, by a mixed commission to investigate them, or as France has done a sum in gross as an indemnity - A prompt demand to be made by our minister for a final answer, that the result may be communicated to congress, that such energetic measures may be adopted, as it may deem just and the injustice, on a refusal on the part of Spain, may require - This to be attended to so soon as Mr Livingston returns - Septbr 8th 1831 -

Mr Jeffries at Pensacola, had not sent
the lost accounts- await his answer
to the letter addressed to him at that
place to reply to the charges made
before he left the United States, and
refute them- ~~a return~~ If not
refuted, an order to return to be
forwarded to him.

The moment Mr Livingston re=
=turns the Neapolitan claims are
to be attended to, with those on Spain
? Shall instructions be given to
Mr Rives to undertake- or shall
a charge de affairs be sent, if
the latter, who- He ought to be
a character known abroad, &
familiar with those claims.
! would not Mr Erwin, late secre
=tary of legation at London, be
a fit character to send to Naples

A.J. attend to this.

General Parson's reasons for the opinion he gave the President that a Delegation from the Creeks could not be got to come to Washington, to make a Treaty.

No portion of the Nation dare make a Treaty: They would be certain of death at the hands of their people. The General thinks a ~~Treaty may be~~ made; but it must be there in full council, when the responsibility would rest on the Nation at large.

A letter to be written to Col. Crowell, Indian Agent for a statement of the manner in which the annuity was disposed of. — ~~(attended to)~~

Novbr. 9th Executive council—

principle p jewels—

Decided, that the power of remission was in the Sec. of the Treasury, in this & all similar cases, & the President has no power over cases, which positive enactments, have given the express power of remission of the fines & forfeitures to the Sec. of the Treasury— The P. in such cases have no power to ~~enter~~ request, or direct, that a nolle prosequi, should be entered. one (Sec. of State) dissenting—

What time shall I present the nominations that have become vacant since the rise of congress—

South Carolina - Legislature convened for the purpose of determining on the call of convention - the new members just elected, by the proclamation of Gov. directed to attend - this a palpable violation of the constitution of S.C. why such precipitancy - keep a close watch upon them - nullification & other rash movements intended; is not this the result of the caucus here - is not Tazewell Tyler Floyd acting in this - Look - why is Poindexter gone to Mr. Barnes to Georgia & Clayton turned nullifier. attend.

Convention called to meet shortly - S.C. will nullify -

S.C. has passed her ordinance of nullification & secession - as soon as it can be had in authentic form meet it with a proclamation - nullification has taken deep root in Virginia, it must be arrested by the good sense of the people, and by a full appeal to them by proclamation, the absurdity of nullification or secession strongly repudiated as a constitutional & peaceful measure, and the principles of our Govt fully set forth, as a government based on the confederation of perpetual union made more perfect by the present constitution which is the act of the people so far as powers are granted by them in the federal constitution.

1833, March —

I have reflected upon the subject of the purchase of the ballance of the public debt. It appears to me, now, right under all circumstances, that the Secretary of the Treasury should direct all Loan offices to transmit all their Books & papers, & close their accounts with the Treasury, and deposit all sums in their hands to the credit of the Treasurer of the united States — and that an agent should be, confidentially selected by the Secretary of the Treasury to buy in the outstanding evidences of the public debt — we have full evidence that we cannot confide in the U. States Bank as our agent to transact this business. It is important that the whole debt should be paid this year (1833) — bring this to the recollection of the Secretary of the Treasury A. J. It was so ~~done~~

= Shall we run a scire facias against the U. S. Bank, on the Evidence reported by the committee of ways & means or shall we change the Deposits — The scire facias disapproved of by my cabinet and abandoned —

May 1833 –

proposition – A system to be arranged with the State Banks for the deposits of the United State funds, to take effect at some future day as a substitute for the U. States Bank – a change of the deposits the ~~only~~ measure that can be adopted to counteract its largess to the press and its other attempts to corrupt the people, at elections to secure by two thirds the recharter of the Bank –

The Government Directors to be instructed to examine ~~into~~ their profit & loss accounts – and their expence account to see whether the statements made of their expending large amounts to corrupt the press & to effect the elections has been made – how much expended in 1831 – 2 – & 3 – for printing and cir= =culating printed Documents in favour of the Bank & to whom paid – whether notes under protest have been Discounted without additional security &c &c &c – ~~other~~

The opinion in writing of my cabinet
on the subject of the a safe deposit being
sought for our U.S. Bank & change of
Deposits was made by me of date March
19th. 1833 -

The last opinion by Mr McLane
20th. of May 1833 - communicated to
Mr Duane before I set out for the
East which was 4 of June, that I had
just got my Cabinets opinion in
writing but had not time to com=
=pare them - would on my journey
and from Philadelphia or Newyork
would send him my views - see corres
=pondence - agent appointed to make
enquiry of the State Banks &c - see
instructions & his report, and previous
correspondence with Mr Duane -

Mr Duane this day 10th of Sept the -
made report of the proceedings of
Mr Kendall the agent - when the
subject was brought before my
Cabinet (Major Barry absent) when
the following propositions were
submitted for their deliberation
and decision - 1st From the report of

of the agent Mr Kendall laid before us by Mr Duane Secretary of the Treasury with the accompanying documents is the State Banks susceptible of being made a safe Depository for the funds of the U. States.

2d ~~Are~~ Is not the corruption shewn by the report of the Directors appointed by the Government under the charter, herewith presented, shewing the secrete application, by the Bank agents, of the money of the Government as Stockholders, ~~without~~ to the corrupt purposes in said report detailed, and the order of the Board of Directors rendering the power of the President of the Bank to use the public money at will & without responsibility or voucher for the same corrupt purposes, in open contempt of the remonstrances of said Govt. Directors sufficient cause to be assigned for the removal forthwith of the Govt. Deposits.

3rd Have we not stamp this flagitious course of the Bank with our prompt & decided disapprobation now - what

reasons or excuse can we give to
the people for our apathy on this
occasion - will we, if we now fail
to notice it - by justly lay ourselves
liable to the imputation of con:
:niving with the Bank in this system
of corruption disclosed of their mis:
:application of the public money
in open violation of its charter

The papers placed in the hands
of the Gentlemen, for the purpose
of deliberation & their several opinions

on the 17th Septbr 1833 - Their opinions
given - Mr McLane & Duane opposed to change
of deposits - until after congress convenes &c
- Woodbury & Taney contra - Taney for -
prompt action - Govr. Cass when called
on for his written opinion declined,
on the ground of his want of Banking
experience, but would sustain the
Executive in any course he might
adopt - opposed to instant action -
The 18th was appointed for the Execu:
:tive to submit his ~~final~~ decision
in writing - did so - The result - the
deposits to be removed on the first
of octbr next, or sooner if the arrang:
:ments can be made with the State B.
see the paper submitted - A I - Mr Duan

Barry for removal - his proposal by Majr Donelson - for prompt action - astonished at the course Mr D. has taken -

requested the paper for his deliberation & conclusion whether he would carry it into Execution - it was delivered & he requested to determine soon, as this required prompt action to relieve commerce from the pressure of the U. S. Bank - The P. directed his private Secretary to prepare the announcement of it to the public thro the Globe & to have it prepared for this day the 19th of Septr 1833 -

The right & duty of the president. by Mr R. B. T.

1st. It is not only the right but the duty of the president to examine into the manner in which the heads of the different depart=ments conduct their business & to see that

4 - the laws are faithfully executed and those measures
adopted which are best calculated to promote
the public interest.- and if in his judgement the
laws are not faithfully executed & if the lawfull
powers of the officer are not exercised in the
manner best calculated to promote the
public interest it is his duty fearlessly to
state his opinion to the officer and the reasons
on which it is founded.

2nd It is the duty of the officer, if he believes the
measure recommended to be a violation of
law ~~tor~~ or injurious to the public interest,
it is his duty not to carry it into execution
- and it may be admitted that the president
cannot issue an order to him to do it. That
question can never arise.

3. But as the President is responsible for
the manner in which the duties of the
Different Departments are conducted, if
the difference of opinion is upon a matter
~~in~~ which the public welfare is concerned,
it is the duty of the secretary to tender his
resignation to the President- for no man
can without a violation of justice, continue
a course of measures for which the President
is responsible, against the known wishes
and opinions of the President, and insist
state on holding his office under him.

4th If the secretary tenders his resignation,

under the impression that the difference of opinion is of so serious a character that he ought not to make the president responsible for measures which he disapproves—it then rests with the president to determine whether in his opinion the measures adopted by the secretary are so clearly illegal or injurious to the public interests, as to make it his duty to accept the resignation of the secretary in order to enable him to appoint another whose opinions in that respect coincides with his own—And if he thinks so—it is his duty to accept the resignation.

5th. If the secretary does not tender his resignation it then remains for the President to decide whether he is willing or not to continue responsibility for his acts—and if in his judgment the laws are not faithfully executed or the powers possessed by the officer are not exercised in the manner in which the public good requires—it is the duty of the President to dismiss him—and if he does not do so and the public interest suffers by it the president is responsible.

It is not contended that the President has a right to issue an order to a secretary

to do any act which is committed to the independent action of the secretary by law.— But as the President is responsible for the manner in which the different Executive Departments are conducted the power of appointment and removal is given to him in order to enable him to fill them with competent and faith=full officers.— neither is the tender of his resignation by the secretary any disre=spect to the President nor the dismissal of the secretary necessarily disrespectful to him.— It most commonly happens that unkind feelings grow out of such separa=tions on the one side or the other.— But a resignation or dismissal may become necessary from an honest difference of opinion without any reproach to either or any want of mutual respect or good will. And when both parties are sincerely seeking to do their duty ac=cording to the best of their judgments.

R. B. Taney Esqr—

Capt John Carnes of Baltimore presents a walking cane of the Horn of the unicorn— for me to pass to my first st, Mr Van Buren should he succeed me in office, april 8th 1834—

A. J—

June 14th — The report of the majority of the committee on the post office, with the declaration of Mr Ewing who presented it that no appropriation would be made to aid it, makes it necessary that arrangements be made to reduce the routs, within its revenue. Therefore by the way of precaution it is directed that the Postmaster General have arrangements made in his department, for the reduction of the routs, least beneficial to the publick, so that this arrangement go into operation on the first day of July next — a copy given to the P. M. Genl this 16th of June 1834 — A. J.

July 3rd — wrote to the secretary of the Treasury to give directions to the superintendent of the mint to put all his machinery in order to extend the coinage of Gold at the mint, that all the Bullion that is deposited may be coined as soon there after as possible deposited in the deposit Banks & paid out for the public dues & thereby [illegible]

June 14 — [illegible]

[illegible]

July 3 — Wrote to the [illegible]

[illegible]

Octbr 22d 1834 — [redacted]

The following note sent to the Secretary of war. The P. with his respects directs the Secretary of war to cause a report by the proper officer to be made to him of the state of our harbour defences on our atlantic frontier — the state & condition of our Fts for their defence — how many pieces of cannon are mounted & in good order on each, with their calibre, and the time it would take to fully complete the cloathing of all of them with their guns —

The same date verbally conversed with the Secretary of the Navy on the time two steam frigates could be completed — & directed the enquiry

A. J.

— January 20th 1835 verbal instructions given to the Secretary of the Navy to have a frigate in readiness, well manned with a full crew, to bring Mr Livingston home, provided the chambers refused to appropriate to carry the treaty with us into full effect, if congress parted to act upon the subject

A. J —

the foregoing direction to the Secy of
the Navy ~~[illegible]~~ on the 22d 1835

— February 26th 1835 — A. J.

express arrives, bringing nothing
but Newspapers — in these it is stated
that the French minister is, recalled,
& Mr Livingston, ordered away — This
is too outrageous to be credited — but
to be in readiness, orders this day
given to have the Frigate constitution
ready to sail at a moments warning
and to be positively ready on the 4th
of march to sail, to bring our
minister home, and our squadron
in the mediteranean, to be brought
to our own coasts or seas, ready
to act in concert, to punish, per=
=fidious France, & coerce her to
to us justice — note of this date
written to the secretary of the
Navy to have all our ships of war
in ordinary, fitted forthwith for
sea — The North Carolinian 74. to be put
in complete readiness with all
others &c —

BIOGRAPHY OF ANDREW JACKSON

BY HENRY LEE

~~Andrew Jackson was the youngest son of Andrew and Eliza Jackson who about the year 1765 emigrated to the So. Carolina from the North of Ireland. They landed at Charleston with their children, Hugh & Robert and shortly afterwards settled in the Waxaws, where on the 15th March 1767 Andrew their last child was born. His~~

Andrew Jackson, ~~was~~ the youngest son of Andrew and Eliza-beth Jackson was born at the Waxsaw settlement in the then So. Carolina, on the 15th March 1767. His parents ~~emigrated to this country~~ from the North of Ireland ~~in 1765, bringing with them~~ two other sons, ~~their (then only~~ ~~they~~ His parents with their two other children Hugh & Robert ~~had~~ had emigrated from Ireland about 4 years before his birth. Their condition in life though not opulent ~~nor~~ or exalted was decent and independent. His paternal grandfather was a company officer at the siege of Carrickfergus in 1701 & shared the hardships and dangers of the garrison. ~~His mother's maiden name was Hutchinson, & her connections~~ His father did not long survive the birth of his youngest child, and on his widowed mother, whose maiden name was Hutchinson, devolved the anxious task of rearing ~~and~~ their three ~~young~~ orphan children. ~~Her character~~ This excellent woman ~~possessed both~~ exhibiting as much fortitude as sensibility, ~~appears~~ ~~is said to have~~ appears to have brought up her sons like the mother of the Gracchi more in her person than in her lap. ~~In the~~ Remembering the ~~oppressions of~~ injuries ~~and oppressions~~ wrongs she suffered in her native country, ~~she~~

~~and [illegible] the [illegible] insolent encroachment attempted on the independence & rights of her adopted country~~ and [illegible] ~~that that injustice~~ a temper of resentment kindling ~~in this country~~ american at encroachments from the same quarter, she instilled into the minds of her sons lessons of ~~early fervent~~ early patriotism. The sufferings of their grandfather in resisting the ~~invading~~ armies of King William, the ~~most grinding~~ oppression ~~by~~ under which the Irish peasantry ~~were ground~~ groaned and groaned in vain, the costly desolation which blasted the face of that beautiful country, and seemed to her approaching this, were the subjects of her frequent and fervent recital. ~~Her~~ To a mother's tenderness ~~her~~ sad fate had ~~added~~ entitled her to add a father's authority, and her sentiments sunk with double influence into the hearts of her ~~children~~ sons. Thus they were patriots before they were men, and conceived in the nursery that strong attachment to the ~~liberty~~ independence of their country, in the early ~~defence~~ affection of which the ~~one~~ two oldest lost their lives, & to the defence of which the youngest has so gloriously contributed. The limited income of Mrs Jackson did not allow of an expensive education to all her children. Hugh & Robert therefore were placed at a neighbouring English school, but Andrew being intended for ~~the ministry~~ the clerical profession, was sent to a classical seminary of ~~classical~~ instruction superintended by a Mr. Humphries. Here he had made some progress in the study of the Greek & Latin, the elements of geometry and a ~~cumm~~ of history, when the ascendency of the British arms in the early part of 1781, rendered

it necessary for the inhabitants to ~~join the Royal~~ standards ~~or of those of~~
~~the~~ of the ~~republicans standard~~ and submit to the royal authority, to join
the republican standard, or to leave the country. The sons
of Mrs. Jackson could not long deliberate. Hugh had already
~~lost his life at the battle of Stono~~ previously entered the
american army, and, as already mentioned, had lost his life, in consequence of heat, at the battle
of Stono. Undeterred by ~~this mournful~~ his fate Robert and Andrew
(~~the latter only 14 years of age~~) not without the consent ~~with the approbation~~ of their mother
had repaired as volunteers to the ~~american~~ camp of a party of ~~americans~~ who ~~under~~ ~~were stationed~~ were entrenched in the neighbourhood.
frequently attended the musters of militia, which ~~at that period~~
from the circumstances of the period were ~~frequent~~
~~and~~ impressive spectacles, they had some acquaintance
with the manual exercise, & probably some idea of the
simpler evolutions. Though young mere striplings, they therefore
(especially Andrew who was only 14 years of age)
they were acceptable recruits. It is well known
~~that Genl. Greene being inferior both in the quality~~
~~and~~ On the famous retreat of Genl. Greene, and the pursuit
of ~~Lord~~ Cornwallis through N. Carolina, the party
of republicans, to which the Jacksons belonged
retreated also to N. Carolina; but as soon as
they learned that ~~Lord~~ the British army ~~Cornwallis~~
had crossed the Yadkin, and had thus decidedly left
their own state, they hastily returned to it for the
purpose of affording ~~assistance~~ support to their cause
and protection to their friends ~~or~~ against the tories.
Lord Rawdon had been left by Cornwallis in command of the upper district
of S. Carolina, and being in possession of Camden and other
fortified posts, and also at the head of a respectable body of

regular force, ~~had ceased to~~ only to resist the subjection which the british armies had imposed on the country. With this view ~~a rigorous superintendence~~ was maintained over every neighbourhood, & no sooner did the ~~least~~ sign of ~~disaffection~~ or preparation for resistance appear than a sufficient force of tories or regulars was detached to overpower it. The return of Jackson's party soon afforded employment for one of these detachments, ~~which being was composed of regular infantry~~ at the head of which Major Coffin hastened to effect their destruction. The ~~americans being~~ of his being apprised of his approach collected to the number of about 40, with a hope of offering effectual resistance. But the british officer keeping his tories dressed in citizens clothes in his front came upon them by surprise, took eleven of the party prisoners, & dispersed the rest. Among the latter were the two Jacksons, who escaping to the woods lay concealed until the next day, when being forced by hunger to a neighbouring house they fell into the hands of a party of Coffins Dragoons. On this occasion ~~they experienced~~ Andrew they experienced a ~~very impressive~~ strong illustration of the tyranny ~~of~~ of which they had so often heard their mother describe ~~complain and had an occasion to show that her exhortations had not been~~

~~Andrew was he they being Andrew was soon ordered by a British officer to clean his boots~~

A British officer, who like many of his countrymen was not at that time disposed to shew any thing like delicacy to the feelings of american prisoners, ~~ordered Andrew Jackson to clean his boots~~ and was willing to consider an rebel ~~american~~ captive as little better than an African slave, ordered Andrew to clean his boots. His personal & political

pride at once rebuked a[n] officer. Their injurious ~~commands issued by~~ and insulting
referring to others, he claimed with a spirit whose ~~in years~~ respect for his rights ~~as~~
~~the rights pertaining to~~ ~~a man~~ as a prisoner of war. The British
did not feel to respect this manly sensibility as they should
and was so much incensed at it that he aimed a blow
with his drawn sword at the head of his interesting ~~w~~ but
~~the latter parried by with~~ prevented from being fatal by interposing his left
~~his left~~ hand.
hand, which now bears the scar of the wound at three
~~received~~. His brother made the same refusal to a
similar order, but did not escape with as light a
penalty. He received a sword-cut on the head which
added to the sufferings of imprisonment soon terminated
his existence. ~~This inhumanity~~ These instances of cruelty
are supposed to have left a deep impression on the mind
of Andrew, and may be referred to as the probable origin
of that keen ~~sensibility~~ resentment and fearless opposition to the ~~power~~ of Britain, which on later occasions he exhibited. In
the course of his captivity he was confined in the goal of Camden
the north windows of which overlooked the camp of Genl.
Greene, who by this time had ~~moved~~ performed his celebrated
movement from Ninety six against that place, which in this
situation he was a witness and an agent in events of which
his memory preserves the following trace. A few days
after Greene's approach an American deserter was seen
~~coming~~ coming in, in the evening, ~~but after~~ & as considerable
stir and excitement among the British. Were the consequence of his arrival
~~and~~ Jackson & his fellow prisoners began to fear that the
British intended to retreat & thus remove ~~out of~~ them the
probability of their escape or recapture: ~~Chance~~ &c. Next

1 3

a party of the 2d regiment [illegible] entered the prison with plank & nails to close up the windows through which the captives [illegible] look upon & might possibly communicate with their countrymen. [illegible] tories accompanied them who abused the prisoners [illegible] taunting them with the threat of making a second [illegible] of Greene & hanging them. After night fall it was discovered that unusual activity prevailed in the garrison & that the [illegible] effective sentinels were relieved by invalids from which it was inferred that Lord Rawdon had determined to attack Greene in the morning & surprise him before day. The interest of the prisoners became of course intense; and young Jackson, anxious to see the battle [illegible] take place, set to work with an old razor blade which had been given to the prisoners to use in dividing their meagre rations, to cut out a pine knot from the plank which had been nailed over the windows. This with the aid of a fellow prisoner he effected before day, making an aperture of about an inch & a half in diameter through which he had a view of Greenes encampment and of the enemy's approach to it. Early in the morning he saw the British force drawn up in column under cover of the stockade and take the Kames house; and in a short time he discerned it to move in a southern direction keeping out of view of the american camp. This course it held until it gained the wood, under the shelter of which so much was seen to turn to the left. Proceeding in this latter direction it reached the Cheraw road & was then saluted with a scattering fire from the american pickets. In a moment

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it halted; again advanced, and the american picket retired firing

The British were now seen to move up the hill in battle array, & the

americans to form in haste on the heights. The British suffered

Gen.l Greene had no artillery, led on their men with the greatest alacrity

But the americans artillery, the american. He had 2 pieces

however, the fire of which appeared to do great exe-

-cution. Many horses were seen running back to Camden

without riders, many with wounded riders, and the non

-combatants were flying here and there for safety. volleys of

musketry were repeatedly heard, and the fury of a general action

became audible, when Washington at the head of his horse

was suddenly observed to turn the British left flank and attack

their rear. At the sight of the americans towards

victory, the british enemy, the hearts of

the americans melted themselves and the triumph

The american prisoners leaped with joy, and the hope

of freedom. Short was their joy for Greene was soon

driven back and Washington having charged in

front his time had to relinquish the

advantage he had gained & to cut his way

through the british army which he readily having

& gallantly did. The firing ceased

Capt. Smith Capt. Smith of the american artillery was

brought in a prisoner, & being confined with Jackson

related to him & his fellow prisoners, the disasters of

the day. He said he He had on nothing but his shirt & drawers

having marched all night to join Greene he had

thrown himself down to rest in the morning & so

sudden was the attack he had not time to put

on his clothes. He told that his attendants were all

killed or taken but that he had saved the artillery
1 4

After days Jackson, his brother (~~[illegible]~~ ~~of whom was about to be the last~~) & 5 other prisoners were exchanged for 13 British soldiers who had been [taken] by a Captain Walker of the militia, a ~~friend~~ of the ~~[illegible]~~ family pertaining to his mother. ~~He remembers~~ distinctly to have traversed the battle ground and to have observed ~~with~~ many of the american muskets without their locks & their bayonets stuck in the ground, with the butts upward, & in some cases the barrels were out of the stocks. His conclusion at the time was that the american soldiers were cleaning their arms when the attack commenced, and that Genl Greene was taken by surprise — a conclusion which the american historians ~~[illegible]~~ have not been willing to admit. Be that as it may, this early ~~[illegible]~~ and ~~startling~~ signal proof of the calamitous consequences of what he considered a surprise, ~~no doubt~~ may be supposed to have had an influence in forming those habits of military vigilance for which as a commander and ~~which~~ the exertion of which kept him safe among the Indians Jackson is remarkable. Soon after their return, his brother Robert expired, and ~~Mrs Jackson~~ his mother who ~~had worn exhausted by efforts to redeem her sons and~~ whose health was sinking under the severity of her privations and sorrows did not long survive him. Having through their instrumentality been ~~[illegible]~~ in procuring the release of her sons, though too late to save the life of the elder, she was encouraged to hope that by ~~a visit~~ ~~affliction~~ ~~[illegible]~~ repairing to Charleston she might effect the exchange, or at least contribute to the comfort of some of her relations who were there ~~in [illegible]~~ prisoners. Accordingly

~~furnishin~~ preparing a supply of clothes & suitable provisions for them
~~the bot~~ enfeebled as she was, oppressed by a variety of maner [illegible]
she set out on horseback to Charleston. ~~She was a victim to her~~
~~generous~~ To this active benevolence she was a speedy victim
The fever prevailing in the lower country supervening upon
the ~~sad~~ previous ~~exhaustion~~ depression of her health and
spirits, removed her from all earthly troubles, and consigned her
to a grave far from home & from her only son. ~~She found~~
His destitution and distress could not be exceeded & can scarce
be described. At the age of 14, he was left alone in the world
without parents or brothers, and with ~~the~~ a heart bleeding for their
recent ~~loss~~ and untimely ~~death of~~ fate. From the enemy's
gaol he had returned ~~with~~ not only with enfeebled health, but with the
deadly infection of the small pox; and this plague broke out
upon at the moment of his greatest sorrow. ~~The neighbours~~ But his temper was naturally buoyant & sanguine & the spirit of youth supported
~~humane were found fruit~~ in kind and assiduous in their
attendance; & ~~he~~ and he after a tedious illness he recovered.
He succeeded of course to the small estate of the family which
carefully managed, and ~~profound~~ prudently applied, would
have procured him opportunities for that liberal course
of education which his mother had ~~arranged~~ for
him. The success of Genl. Greene too in ~~wresting~~ all
the upper country from the English, had ~~left~~ restored to the
country District in which he resided a comparative
state of peace; and he was therefore perfectly at
leisure to ~~apply himself to study~~ the time the studies which in a different state of tranquillity he
would ... But the
retreat of the enemy, in removing obstacles, had pre
sented allurements equally overpowering. The ~~rage~~ patriotic
families in the lower country, were obliged either to
renounce their principles or to relinquish their

homes. Many of them had in consequence betaken themselves to the upper districts which were now ~~in~~ protected by the American arms, and among them were individuals of ~~the highest refinement~~ ~~and~~ most opulence and refinement, whose manners were accomplished, and habits expensive. In their eyes young Jackson ~~both~~ on account of his misfortunes, not less than for his ~~early~~ spirit and endurance, was an object of peculiar interest, and on his mind their liberal ~~and elevated~~ sentiments, elevated carriage, and polished manners ~~became wrought~~ made an impression of deep admiration and lasting respect. To ~~him soon~~ the pleasure of their society he resigned himself completely. Books were neglected, and those unfinished purposes of education which had but lately been resumed were now again abandoned. ~~that for the indulgence of social delight gaities.~~ In the indulgence of this expensive society, although he ~~lost~~ expended money which he could ill spare, and lost time which he might have devoted to higher purposes he acquired the graces of manner and the sentiments ~~Confinement~~ and the ~~air~~ carriage of polite society. There can be little doubt that at this period he imbibed ~~the habit~~ of that high sense of honour, and unstudied elegance of air for which he has been since distinguished & which ~~his~~ habits of command and the intercourse of the camp have contributed to improve, and which while they have enabled him to enchant all beholders, have been the occasion of gross misrepresentation and injustice. Coming

ant of ~~the~~ [illegible] sentiments of the west, with these sentiments
of elevation & propriety, he ~~was continually~~ frequently by continuing [illegible]
of what he considered incongruous and [illegible]. These he
assailed with decided reproof, in the language of which
his constitutional warmth & energy were not concealed. None
were disposed to applaud the purity and elevation of his
sentiments — none were ready to resent ~~[illegible]~~ the uncompromi-
-sing severity of his reproaches — and thus while he was
respected by the few who admired the [illegible] probability
of his character & [illegible] who feared the
severity of his ~~reproaches~~ censure. ~~He was~~ These [illegible]
~~[illegible]~~ modified ~~[illegible]~~
by his subsequent fame and political competitions, have
accompanied him through life and been the
fruitful theme of just applause, ~~and~~ on the one
hand and ignorant detraction on the other. Having
exhausted in these social pleasures his small
patrimony, ~~[illegible]~~ the fear of want & horrors of dependence soon
suggested the prudence of resorting to some
mode of vocation
~~employment [illegible] mode of [illegible] competence and reputation~~
~~which likely to [illegible]~~ him competence
~~likely~~ calculated to secure establish future competence
~~and reputable~~ & reputation — and he determined
to renew his interest the studies and to prefer
the profession of the law to that of divinity. Having
with this view repaired to Salisbury — then the

The case of Major Langham & the name of his
cond[illegible] — his trip to Charleston & gaming there — his
attention to Buford's survivors.

of the principal counts and legal learning of N. Carolina, and ~~[illegible]~~ placed himself in the winter of 1784 under the direction of Spruce McCay esq. then an eminent counsellor, and afterward a distinguished judge, and subsequently obtained the guidance of the late Col. Stokes whose professional reputation was also exalted. His studies were prosecuted with an ~~ardour~~ ardour equal to that which had impelled him in the chase of pleasure; and with the remarkable acumen of his mind, and the dawning nobleness of his character, gave promise of ~~his~~ that ~~[illegible]~~ elevation in society ~~[illegible] and fame~~ which he has since ~~[illegible]~~ reached & so long maintained. ~~[illegible]~~ ~~[illegible]~~ Judge McCay is remembered often to have remarked, that if Andrew Jackson lived, he would infallibly rise to the highest distinction – that there was a lofty and generous spirit ~~and also~~ in him ~~and a capacity~~ an energy and firmness of character, which betokened future greatness.

His residence with the family, ~~and~~ even among the community in which he ~~boarded~~, the most affectionate attachment for his person and ~~[illegible]~~

12

in their day—that the surviving individuals took from age and obscurity with gladness and pride on this honours and prosperity. As

Dr Johnson says "the praise of seeing one's ... is the best panegyric of private virtue," ...

~~Throughout~~ this tradition ... the recording ...

In little more than two years he obtained ... practice the law and having ... by his early patriotism, and personal amiability the good will of all ... the first men in the State, ... appointment of solicitor for the western District of N. Carolina was conferred on him without his application ... Judge ... McNairy, now U.S. Judge for the District of Tennessee, was about the same time appointed Judge for the same district, in the year 88 and together they explored their way to the theatre of their respective duties and common enterprise. Jonesborough was then the principal seat of Justice in the Western District of N. Carolina. & ... at the house of ... ... in the neighbourhood ... Jackson stopped & resided for several ... attending to his professional duties, and enjoying the adjacent country. ... he first ... the ... on the ...

and repaired to that settlement at French Lick, near to the present site of Nashville. In those days the settlers occupied various insulated positions called stations, which were located at points convenient for supplies of water. From the mineralogical character of the country, fountains of both fresh and mineral water are abounded, and these lick streams and being resorted to by numerous herds of deer & Buffaloes, were called licks. These animals passing from one lick to another in great numbers had formed avenues through the forests, cane brakes & forests, that were called traces, and constituted the only routes by which the early settlers of the country the occupants of the several stations communicated. The stations consisted of log cabins surrounded by stockades made within which the inhabitants defended themselves against the Indians, who often annoyed them in small ambuscade parties and sometimes in large bodies and repulsed persevering attacks. An interesting and graphic account of these bloody contentions between the advancing white and retreating red population of the west [illegible] which now form the thriving [illegible] may and patriotic state of [illegible]

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is contained in ~~Haywood~~ history of that state ~~which~~

~~the future conqueror~~ ~~the reader will find the struggle~~

In these conflicts, sudden, desperate & bloody, in which

~~both~~ sexes and every age ~~who~~ acted and suffered

~~the future~~ conquerors of the Creeks and ~~Semin~~

~~Untitled~~ ~~hopes~~ ~~~~ of patriotism and ~~indicants~~ of

~~war.~~ ~~Thus~~ engaged in his public duty and professional

avocation Jackson often participated in the dangers

and struggles of his adventurous compatriots.

His gallantry and enterprise ~~were there~~ ~~con~~

spicuous & the confidence and alacrity which

he always displayed in seasons of peril and

calamity ~~In 179~~ In 1792 the govt of the U.S. ~~being~~

~~was engaged in~~ being at war with the N.

Western Indians the fire of hostility ~~spread~~

through the Shawnees to the Choctaws

Creeks & Cherokees in the ~~neighbourhood~~

of the ~~Cumberland~~ settlement. The whites

who had ventured to reside without the

fortified stations were waylaid and

murdered in their ~~~~ as they slept in their ~~~~

~~or ploughed~~ in their fields. The numerous

~~~~ stations became the objects

of more regular incursions. Bodies

of these various nations collected together

.1 8
~~~~

in formidable numbers and disguising their movements by pretended ~~promises~~ amicable overtures and false intelligence were sometimes able to reach the vicinity of the principal stations before their hostility or approach was apprehended. Then ensued a period of ~~public~~ of agony dreadful to ~~[illegible]~~ witness and horrible to relate. The protracted absence of some ~~[illegible]~~ labourer or hunter would first excite the alarm of his friends in the station. Then, as the sun descended, the cattle would be observed to come in troops from the forest toward the shelter of the fort, with such signs of ~~fear~~ as they their instinct expresses at the approach of a storm. ~~[illegible]~~ In the succeeding silence and ~~[illegible]~~ darkness, the quick ear of the ~~[illegible]~~ sentinel would ~~[illegible]~~ seem to hear approaching footsteps which an anxious mother would hope was her returning son, or an unhappy wife her long looked for husband. ~~[illegible]~~ ~~[illegible]~~ vain hope, in the next instant savage yells and murderous

~~soldiers~~ accompanied the station and the next morning ~~beheld it declared~~ saw it destroyed or the ~~blood~~ spirits of ~~repulsed~~ ~~bones~~ assailants sprinkled around it. One of these ~~heroic~~ ~~assaults~~ of Indians ~~was~~ burst upon Buchanans station about 4 miles east of Nashville. The station ~~like~~ a gallant hack which rides a ~~wave~~ out the storm ~~prevented~~ it, and though held by but 19 inhabitants repulsed 800 Indians, wounding their leader ~~Watts~~ & killing the ~~bloody~~ ~~Watson~~ & ~~their~~ several of their principal warriors.* ~~Details~~ Though generally absorbed in his public duties & professional avocations Jackson was some times involved in these military conflicts. With his associates he would sally out to revenge a murder or retaliate an attack, and though he always declined the command in favour of some more experienced woodsmen in irregular fights, his gallantry and enterprise ~~was~~ always conspicuous ~~and~~ attracted the confidence of the whites, and inspired terror and respect among the savages, who gave him the ~~honoring~~ epithet of

* Haywoods history of Tennessee P.P. 356-7.

of the sharp knife & the pruning ~~..........~~
occasion under Captain Williams ~~who~~ ~~..........~~
94 ~~..........~~ that ~~..........~~ attack on
the town of Nickajack, near the point where
the frontiers of Tennessee Georgia & Alabama
now meet, ~~which~~ was disapproved by the
Govt. of the U.S. he pursued a hostile party
as far as Duck River, surprised and ~~killed~~
~~several of them~~ with the loss of several of their
Chiefs. ~~Another~~ species of public service
often led him into danger and displayed
his merit. The country between the vicinity
of Knoxville & the Cumberland settlements
was an uninterrupted wilderness of 200
miles ~~depth~~ in depth. Emigrants, families from
N. Carolina or Virginia who wished to
reach the rich lands on the Cumberland
were in the habit of collecting in parties
at Knoxville and providing an escort
of young men to protect their passage through
the wilderness. It was ~~his~~ the practice for
them an escort from the Cumberland stations
to meet them 2 or 3 days journey of the

~~These occasions Jackson frequently ...~~
and on ~~...~~ excursions against the Indians ... & has been ... to protect the settlement of his adopted country, and to ~~guard~~ defend from the savages the women and children ~~from the savages~~ who were to people it. Thus fostered these settlements gradually increased in population and ~~extended~~ augmented in strength. Jackson ~~being for a ... was already ...~~ ~~was~~ continued to officiate as solicitor, to practice as attorney, and to adventure as ~~partisan~~ in these little cabin court houses and ~~...~~ communities, appearing as the Ranulfus & the ... of the Republic.

~~In the year 91.~~ The principal courts of the ~~state~~ District being then held in Jonesborough, the business of his appointment ~~and ...~~ ~~frequently~~ required his periodical attendance at that place. ~~In the year 17 91~~ to reach which it was necessary to pass through the wilderness. In the year 1791 in returning ~~the ... wilderness~~ to the camp with the three companions x from one of these ~~...~~ ridings, when they reached ~~the ...~~ a little after night fall the road descending to the bank of the ~~...~~ Emory, where ~~...~~ the

x one of whom was the present ... , who contributes this anecdote.

from the mountains by a large
body of Indians were discovered on the opposite
bank the light of their fires showed that they
were numerous, that they were painted and
equipped for war. The moment of this perilous
discovery was made, the [illegible]
elastic mind of Jackson gave him the
direction of the party. He instantly [illegible]
enjoined silence, and [illegible] to the mountains
returning into the mountains, caused his
party to [illegible] four abreast through
the woods in a direction leading to the
[illegible] up the Enemy, hoping by this
means to elude the pursuit of the savages,
by not leaving a distinct trail, and to
gain some ford in the mountains
at which they might pass the River
by the dawn of day. Travelling all night, & keeping
before day.
within hearing of the roar of the stream
which was guided by the roar
of the [illegible] enemy, they passed
high up into the mountains region
through which it flows, and repaired to
its margin as soon as it was light. But
it was swollen by recent rains, and
too deep and violent to be swum or

forded. Apprehending the pursuit of the ~~Negroes~~ Indians they pushed forward without rest or delay constantly looking out for a passage. About two o'clock in the afternoon they came to a place where the stream after tumbling over a precipice expanded itself into a smooth lake like surface and then made a quick fall with violence over a second high & furious ~~Cataract~~. ~~Sending determined~~ Tired with their long mountain march, and unwilling to wait on that side of the River, which they supposed the Indians had gained in the morning, they determined to attempt a passage at this place where the smoothness of the ~~surface~~ water seemed to admit the passage of a raft & the swimming of the horses between the Cataracts. ~~The season~~ It was in the month of March, the weather was cold, & it was a great object to keep their clothes dry. They constructed a raft by tying limbs and logs together with hickory withes. It was agreed that Jackson with one companion should row over the raft with the clothes and saddles on it, and that one ~~too~~ & the other should follow with the horses. Two rude oars were attached to the head of the Raft for Jackson to manage ~~row~~ with, & one to its stern for his comrade ~~companion~~ to steer with.

~~Having~~ all straight and the clothes &c said he being placed
on the raft Jackson with his face towards
the opposite shore pushed forward into the
dangerous current. Smooth as it was on the
surface, it seemed that the contiguous cataracts
produced a violent under draught ~~[illegible]~~
down the stream, and though the raft was
pointed across the stream ~~[illegible]~~ it glided
rapidly down it. Gunton & his companions
instantly cried out & implored Jackson
to pull back. But he either not being so-
insensible of the danger, or being unwilling
to yield to it, continued to push vigorously
forward. ~~Laughter~~ from humane the repeated shouts
of Gunton, ~~warned him of his danger,~~
and the approach of the raft to the
lower cataract warned him of his
danger, and changing the direction
of his oars he pulled back ~~for~~ to the
shore. Finding himself just on the brink
of the awful precipice, he had the
presence of mind to swim with an
oar in his hand ~~to the shore of~~ from the hind
to the shore & reaching out his
oar to Gunton he & his companions
laid hold of it & pulled the raft
a shore, just as it was entering

the mouth of the torrent when they gained the thi[illegible]

~~[illegible]~~ while some were ejaculating maledictions

thanks and others expressing indefinite terrors,

Quinton approached Jackson with having ~~[illegible]~~

-regarded his first warning & wondered to [illegible]

in the stream at length "you were in their

on all sides of being dashed to pieces": the

replied Jackson "a miss is as good as a mile,

& only those have done I can gauge danger

but we have no time to lose - follow me & I'll

save you yet." Resuming their clothes &

saddling their horses they resumed their

march up the course of the River and

resting supperless in the wood that night they

gained ~~the river~~ the next day, and [illegible] by

a circuitous route through the forest after much

suffering from fatigue & fasting ~~they~~ gained

~~the trace to [illegible] on the [illegible]~~

a habitation on the trace to the Cumberland

about 40 miles west of the Enemy.

~~[illegible]~~ Soon after ~~his permanent settlement~~ he

fixed his residence in the neighbourhood of

~~Nashville~~ when Jackson first ~~[illegible]~~ reached

~~[illegible]~~ the neighbourhood of Nashville

it was not his intention to reside in it - but

circumstances ~~calculated to [illegible]~~ place his spirit

in opposition to his will ~~his~~ decided ~~him~~ ~~thence~~ ~~Isaiah Love~~ ~~was~~ It happened that the whole community of settlers on the Cumberland, at that time afforded but one ~~lawyer~~ attorney licensed to practice law - a Mr. Isaiah Love - who had been retained universally by the debtors, and the creditors could not prosecute their claims. This obstruction to the course of justice the arrival of Jackson removed. He was a lawyer, and in proof of his professional credit & personal respectability had the appointment of Solicitor Genl. for the district. He was immediately applied to as Counsel by the creditors, & ~~[illegible]~~ instituted a number of suits. The times were hard, money scarce, & the population somewhat irritable and licentious. The debtors did not trouble themselves about considerations of justice, but resented the honourable agency of Jackson, as an officious injurious interference with their property & feelings and threatened to mob him & ~~Jackson~~ drive him out of the country. These threats determined him to give up the idea of returning to Jonesborough & to remain near Nashville - where ~~the~~ [illegible] the ~~com~~ population was [illegible] ~~[illegible]~~ & general character had ~~been~~ [illegible] [illegible] ~~[illegible] & [illegible] the~~ [illegible] the

Having a lively ~~sense of independence he resolved to maintain~~
~~himself~~ which his early warfare in the cause of freedom
had probably ~~fortified~~ corroborated, he resolved to maintain himself
in defiance of these ~~threats~~, and abandoning the idea
of residing ~~near~~ at Jonesborough and visiting each
villa periodically as a lawyer, he ~~determined~~ to
~~establish his residence near Nashville, and to~~
remove to this place, & established his residence near
Nashville. It was then the custom for ~~many respectable~~
immigrants to board in ~~the most respectable~~ private families,
~~which~~ which was an accommodation to both parties
as there were no public Inns, ~~and as the addition of~~
~~two~~ and as every addition to the number of men
in a family was an increase to the means of
defence against the Indians. Jackson became
a boarder in the family of Mrs Donelson, the
widow of Col Donelson, who had emigrated
from Virginia ~~a few~~ some years before. This
lady was the mother of ~~several~~ a number of sons & daughters children - one of
whom, Rachel ~~had~~ had married a Mr Lewis
Robards of Kentucky - whose jealous ~~& unconjugal~~ temper and
~~disobliging unconjugal~~ and unconjugal
behaviour ~~had rendered their connection~~ [illegible]
~~and~~ prior interrupted the harmony of their
connection - & ~~had~~ were broke in a voluntary separation
Mrs Robards was ~~being~~ residing with
at his instance.
her mother when Jackson became a boarder
~~there~~ at the house. ~~In the~~ But a little
before Mr Robards, repenting his separation [illegible]

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and ungenerous treatment of his wife, had intimated his wish to be reunited with her, and she had consented. Mr. Robards then became an inmate of Mrs Donelson's house, and continued so ~~about six~~ a few months, when ~~[illegible]~~ his the infirmity of his mind and the view of his temper again threw the family into distress & confusion. Jackson being a young man of engaging manners and imposing reputation became the object of his jealousy, & that ~~became~~ the cause of ill treatment to his wife, and of affliction to her mother. To allay the distress he had thus innocently occasioned, he remonstrated with Robards upon his injustice, repelled and silenced his ~~charges and~~ insinuations & threats, and left the house of Mrs ~~Robards~~ Donelson, taking up his residence at Mansker's Station. This was unavailing. Robards persevered in his instability - and finally applied to the Legislature of Virginia - he being a citizen of Kentucky, then part of Virginia - for a divorce, grounding the application upon his jealous accusations which he himself had admitted to be false. The friends of Mrs Robards supported the application, believing ~~it was supposed as~~ it afforded the only chance of her restoration to happiness, and a law was passed authorizing the ~~county~~ ... of ~~the county~~ Mercer County ~~to~~ in the district of Kentucky to decide the [illegible]

This act of the ~~Virginia Legislature~~ by which the application of Robards ~~for a divorce~~ appeared seems to have succeeded. was ~~misinterpreted by some representatives~~ reported to ~~those [illegible]~~ Mr Robards & ~~his~~ friends & so understood publicly in their neighbourhood as an act ~~a law positively divor-~~ ~~cing~~ of a law positively divorcing them. The communication between West Tennessee & Eastern Virginia was at that time less frequent than it now is between Richmond and Mexico— ~~as then~~ ~~there no mails, then for there were~~ there were then no con~~nection by turnpikes~~ [illegible] no communications of ~~Commerce or politics, between~~ no roads or mails. The ~~interest which~~ concern which Jackson felt at being the innocent cause of distress to a family & a lady whom he sincerely respected, was ~~[illegible]~~ that the personal attractions of the latter ~~[illegible]~~ then ~~the [illegible]~~ were in a situation to inspire natural influence ~~in the heart~~ in society was converted into a more tender interest. He became her friend, her adviser and in August 1791 were placed ~~her husband~~. Her ~~family relations and friends~~ ~~[illegible] from the lips~~ ~~of~~ this change in her destiny, ~~and have~~ at it seemed ~~and have [illegible]~~ had reason to rejoice ~~the months~~ two years had elap since. It was not until that the ~~That~~ Jackson discovered ~~his marriage~~ had not ~~act of the legislature~~ of Virginia ~~was~~ granted a divorce, and that under its provisions subsequently to his marriage Robards had obtained a decree of divorce from the Court of Kentucky. It then became proper

To have the Marriage Ceremony performed again
This was accordingly done. Their union was
at
was productive of happiness but no offspring.
He now became very diligent in his profession and
an
attentive to the means of acquiring and honourable
independence. The resentment excited by his professional
exertions continued to prevail and threats of
were
personal violence occasionally muttered by
evil minded enemies of justice
those who felt incommoded by the demands
of justice. His personal bearing and chivalrous
a prudent
character, combined with [illegible] prudent
and dignified deportment for which even then
he was remarkable, [illegible] this interposed
almost [illegible] between him and danger made
at
him more formidable as odious to his enemies
and they therefore resorted to the [illegible]
hirelings to assault him, as bravos are hired
in Spain for [illegible] in Spain. The first
of these assailants was a flax breaker, a man
of [illegible] courage & [illegible] of great strength.
He approached the [illegible] with menacing
gestures and abusive language, just where
there lay a pair of winding blades, of
instruments of his own occupation. These
Mr Troost seized & applied with such
vigour that the bully [illegible]
& [illegible] gave in and [illegible]
from that time his [illegible]

 not copy

and became from that moment his main supporter. ~~Some~~ After this at a court in Sumner county, while he was conversing with a gentleman on business, a very stout man ~~big~~ named Sumner, with whom he had no acquaintance, approached him, & without ~~beyon~~ speaking a word placed one of his heels upon each of Jackson's feet. Having pushed him off, Jackson seized a new & heavy ~~board~~ slab that was lying near (for as all the buildings in the settlement were then new such materials were strewed about most habitations) and gave him a ~~fo~~ straight forward blow in the stomach with the end of it, which felled him to the ground. The bully recovering snatched a stake from the fence and with loud threats of revenge and destruction ~~were bound~~ approached him rushed toward him. Some of the bystanders attempted to interfere – others, ~~[illegible]~~ feeling whether of the insolence of Sumner stood aloof in hopes that the daring young lawyer would ~~be punished~~ suffer in the conflict. Jackson whose spirit seemed always to rise under the weight of emergency, desired them that no one would interfere, and insisted that his friends would let Sumner advance. The ground being thus clear Sumner with his stake ~~the bully~~ began to advance & did Jackson with the slab presented. But ~~[illegible]~~ the courage of the bully subsided as soon as he found himself permitted to engage, & seeing Jackson

1 15

coming at him, he threw away his stake, leaped
the fence & ran into wood. The effect of these
encounters seems to have freed him ever after
from similar violence. The hostility which a large unreasonably
portion of the settlers community at had conceived
against him, was however recently now checked
and soon inflamed by causes equally imperfect
in themselves and highly creditable to him
In the course of his practice as a lawyer
the had occurred. As patriotism has always
been considered among his strongest characteristics, so it
appears to have been one of his earliest
sentiments sentiments, and to have coloured
and determined many incidents in his life
before he became a public man. His
soldiership in the Revolution at the age of 14
has already been referred to as have his frequent
volunteer expeditions against the Indians. That
which in with other men is a sentiment of duty, founded
growing out of considerations of justice, interest,
and example, in him appears always
to have been a pure and ardent passion,
superior to paid eclipsing even the love of fame
thirst of power and predominating even
thirst of power the pride of opinion. When
therefore in the course of his practice
he discovered that enormous fraud had

begun committed in the land office in N. Carolina, and the
spurious grants had been ~~[illegible]~~ to ~~immense~~ tracts of land
~~[illegible]~~ in the Cumberland district, he engaged in the detection
exposure and frustration of this villany with the most
earnest zeal. ~~Having been~~ As appointed attorney General for
the district his eager investigation were directed to the
~~[illegible]~~ ascertain whether the perpetrators of these frauds could
not be reached by a prosecution on the part of the com-
-monwealth. But he could not collect testimony sufficient
to sustain ~~this proceeding~~ an indictment. Still he had done
enough to alarm and to irritate the guilty, and to draw
upon ~~against~~ himself a new phalanx of hostility. But
the fair & honest portion of the inhabitants were
his friends and supporters, and even in ~~those~~ that loose
and turbulent state of society they were ~~constituted~~ a
majority of the people. ~~[illegible]~~ When therefore the
territory was to be erected into a State and a convention
to form a constitution was called he was elected a
member of that body, without any offer of his services
or solicitation of the office. The convention met at
Knoxville on the 11th Jany 1796, and on the 6th of
Feby completed their work, which provides for the liberty
government of the state with as little restraint on
the liberty, and as slight imposition on the property
of the citizens as is consistent with the existence
~~fundamentals~~ of civil laws & political institutions
The right of suffrage, the foundation of popular constitu-
-tions, is freed from the capricious and arbitrary disqualifications
which in some of the older states, ~~[illegible]~~ make

its experience depend neither on principles of the liability to taxation or military service
Equality, nor on the influence of wealth - but on
the possession of a certain superiority of mind.
Distinguished from many of the other state governments
by a salutary provision against excessive
legislation - ordaining by that the representatives
of the people shall ~~meet every two months~~ meet in assembly
once in every two years. ~~In the~~ It is believed
that Jackson was active and influential in
the ~~debates~~ of convention, and that many of
the principles which he suggested or espoused
are to be found in the constitution. ~~At the~~
Then his popularity & influence increasing
at the first election held under the state gov-
-ment he was returned a member of the house
of Representatives, without being a candidate.
On his way to congress in the ~~early~~ fall of 97
he travelled as far as Knoxville with a
young gentleman from Virginia who had
been transacting business in Nashville, and
from him learned that there was a ~~party of~~ an association
of men of land jobbers then in Nashville, who
were engaged in the manufacture of fraudulent
grants from the N. Carolina land office to a
great extent. Of this the young gentleman possessed
and communicated positive proof. Jackson
immediately addressed a letter to the Gov-

of N. Carolina, detailing the information he had procur'd. The Legislature being then in session the Gov. communic'd it by public message to that body. The matter was publicly investigated & thoroughly exposed. And Jackson had the satisfaction of eradicating from the property and the records of his state an extensive scheme of deception and turpitude, which by vitiating both tended to retard its settlement and to degrade its character. This public spirit however salutary in its consequences excited the ill will and resentment of all who were directly or indirectly by themselves or their friends implicated in the nefarious transaction. There were neither small neither in number nor importance And among them was the governor of the state.

It happened too that about this time a difference between Jackson and his old friend Judge McNairy, which though proceeding from a strong attachment to the cause, added them might to the animosity of the disappointed land jobbers. It seemed that McNairy had been instrumental in procuring the removal from the office of Genl. Robertson, the father of the state, from the office of agent for the Chickasaw nation of Indians, by which a Mr. Searcy who had emigrated to this country in company with Jackson and McNairy, lost his appointment of Clerk to the agency, on the salary of which he depended for a livelihood.

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Deeming the ~~cause assigned for~~ producing on the part of Judge W. ~~Mary~~ unfriendly and unjust Jackson remonstrated with him in relation to it & an altercation ensued which dissolved their friendship ~~& was never~~ a good understanding renewed until after the war of 1812. ~~While~~ though exposed to this his ascendancy in the state was ~~not~~ ~~thus~~ powerful and ascendant opposition, he continued ~~to rise in~~ the estimation of the people, and having served one session in the House of Representatives he was elected by the legislature (at an early occasion of his life) without any canvass or solicitation on his part, to the Senate of the U.S. While in congress he does not appear to have mixed much in debate, though he was assiduous in attendance and consistent in his votes. He was on the republican side, and associated much with Giles, Macon ~~and~~ Stephen Thomson Mason members and the prominent members of that party. His silence ~~must have been owing to a~~ ~~rather than~~ As he was always remarkable for strong sense, was versed in public business, and habituated to forensic speaking, his silence ~~like that of Washington~~ & Gibbon must be attributed to the ~~must be attributed to~~ modesty of wisdom rather than the diffidence from the same cause of incapacity. ~~Genl~~ Washington never spoke in Congress, nor Gibbon in the house of Commons.

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~~Worthy Rep. Gibbon silent in the House of Commons~~

~~Washington in the first Congress.~~

Having acted through an opinion in a small minority in the senate, against

the high reaching measures ~~of the elder~~ which the

elder Adams engrafted on the ~~pure~~ upright firm and

faithful policy of Washington, ~~and having been permanently~~

~~upright~~ he determined to resign in favour of his neighbour

and friend Genl. Daniel Smith— a gentleman advanced

in life, ~~of great scientific acquirements & of sound~~

~~and justly esteemed for his scientific acquirements and~~

~~respected for his weight~~ whose age, services & venue

gave him a considerable weight of character,

and promised a useful accession to the Republican

party. Mr Jackson hoped too that ~~he might~~ while his con

tinued residence in the State would enable him to pay ~~attend~~

a prudent attention ~~more effectually~~ to his private affairs, he would have

it in his power to render public service by devoting

to the people the encroachments of the general govt. &

impressing on them the ~~necessity~~ propriety of ~~applying~~

~~them~~ exerting the corrective provided by the constitu

As soon as he resigned ~~his seat~~ ~~when~~ just thirty one years of age

the Legislature of the State, conferred on him, unsol

-licited, the appointment of Judge ~~of one of~~ the supreme

Court of Law & Equity ~~His first court~~ His first court was held at

~~be provided~~

Jonesborough, and was attended by an incident

which illustrates his character, ~~and~~ the turbulent

~~...~~ ~~which~~ he had to ~~make his~~

~~his~~ ~~make his way~~ of spirit which

at that time prevailed among the

1 18

western people, and rendered an ascendancy over them peculiarly hard to ~~harder to~~ acquire and to maintain. A criminal by the name of Russell Bean had been indicted for cutting off the ears of his infant child in a drunken frolic, and although he was in the court yard, ~~the sheriff we took was the so great and terrible~~ were his strength and ferocity ~~that the sheriff~~ made a return to the court that "he ~~would~~ "Russell Bean would not be taken". At this Judge Jackson expressed ~~so~~ much astonishment and peremptorily informed the officer "that such a return was an absurdity & could not be rec^d, that the culprit must be arrested, & that he had a right to summon the posse comitatus, to aid in the execution of the law." ~~Upon this~~ The sheriff ~~was not a little mortified~~ withdrew and soon afterwards the court adjourned; and as ~~they~~ J. Jackson with his associate ~~were~~ walking to their lodgings, they ~~were~~ accosted by the sheriff & summoned ~~by the sheriff~~ as part of the posse comitatus. Jackson instantly ~~perceiving that~~ his object was to avoid this dangerous act of duty, under the example which he hoped the judges would set by declining to persist in it, determined at once to disappoint him, and to vindicate the dignity of the law. ~~He said to the sheriff "Sir, I will~~ And at the same time to support his own. ~~His reply replied to the summons of the sheriff~~ His reply to the summons of the sheriff was prompt, ~~but full of~~ that propriety which a strong and collected

mind alone can supply. "Sir, I will attend you and see that you do your duty." He then asked if Bean was armed & learning that he was he desired to be furnished with a loaded pistol. This being done he directed the sheriff to advance upon Bean and take him – saying that he would protect him from harm. Bean had been boasting of his superiority to the law and entertaining the populace with taunts and reflections upon the cowardice of the sheriff & the pusillanimity of the court. He was armed with a dirk & a brace of pistols and stood with an appearance of defiance and desperation as if fearing nothing from the encounter. But as he had seen Jackson on former occasions of difficulty and danger, and could not withstand his firm advance and formidable look. As soon as he retreated Jackson commanded him to halt and submit to the law. Unnerved entirely and preferring the protection to the pursuit of such a man as Jackson he replied, throwing down his pistols – "I will surrender to you sir, but to no one else." This put an end to all such violations of the authority of his court, and had a general and useful effect through the state.

But it seemed that the current of his career like "the course of true love" was "never to run smooth;" but like a bark propelled by a brisk gale against a strong current, the progress

be made in the display of merit and the alteration of popularity, was continually to increase the number of his enemies and the violence of their opposition.

The adventurous spirit, and incomplete structure of the society of Tennessee at that time, were calculated to produce this state of things, even more powerfully than the passions upon which it was founded.

The sources of envy and contention, of a reluctance to promote and unwillingness to dispense justice and the ~~outrages~~ of merit, are to be found in the imperfect nature of man. For wise purposes they are implanted; they make the path of honour slippery & steep, and the ascent to glory arduous and long. Their operation in respect to Jackson

The adventurous spirit and incomplete structure of society at that time in Tennessee

the investigation which he had caused by the legislature of N. Carolina, of the frauds in their land office, having implicated many individuals, gave occasion to much acrimony of conversation at the ensuing elections. In 1802 Govr. Sevier being a candidate for reelection was exposed to considerable censure for his alleged connection with these frauds, and as Jackson was known to have been active in their exposure, he was not very

~~inimical~~ against him. Gov. Sevier was very popular, and his im-
-portant military services had given him great influence
His resentment became therefore the feeling of a large
party. ~~When Jackson was~~ on his way to hold his court
at Jonesborough in the fall of 1803 Jackson was informed
advised by a friend that a combination had been form-
there to mob him on his arrival. His friend ~~[illegible]~~ ad-
-vised that this intelligence had no other effect than to
increase his anxiety to get there. ~~His impatience~~
His impatience was not gratified, for on his journey
he was taken sick and when he reached Jonesborough
he was so much that on arriving he was too weak
to ~~alight from~~ dismount his horse, without assistance. In passing
into the tavern ~~to meet~~ with his friend ~~to see~~ he
passed a large crowd before the door with the [illegible]
sure in the midst of them. Believing made a high
fever he lay down on a bed, and was soon waited
on by Pharaoh? & Mr Miller, who ~~came in~~ and informed
him that a regiment of men had assembled in
front of the Inn with a view ~~to~~ to mob him, & tar & feather
and advised him by all means to lock his
door. He immediately arose as if supplied with new
strength, threw wide his door, and requested
Mr Miller "to give his compliments to Col. Harrison
who commanded the regt. and acquaint him
that ~~his~~ door was open for the reception of
him & his Regt. ~~whenever~~ they chose to enter,
but that he hoped his chivalry would induce

him to lead, not follow his men. This being communicated to the Col – the attempt to do violence to him was abandoned – & Col Harrison having afterwards apologized for his inconsiderate conduct in the affair remained ever after the ~~wall~~ on good terms with him. In the course of his circuit his next ~~Court was~~ at Knoxville, where at the time the ~~Legislature~~ was in session. ~~The first was in attendance~~ They had entered on the investigation of the land office frauds, and were examining ~~some facts~~ transactions which were supposed to implicate the conduct of Govr. Sevier. ~~On the first day of the Court, when it adjourn~~ When the court adjourned on the even of the first day of its session, as Jackson was leaving the court house he saw a large crowd near the door standing around the Govr. who held his sword (which he ~~was~~ ~~then~~ constantly ~~wore~~ wore as a symbol of office) in his hand. An altercation was ensued commenced by the Govr. in which insults were offered and retorted, until Jackson being dared to challenge him, did so. The challenge was accepted and after some delays which provoked Jackson to insert a publication in the newspaper to the disadvan-tage of his adversary it was ~~agreed~~ understood that the meeting should take place at

Southwest Point. ~~Thither Jackson~~ & his friends proceeded & wait[ed]
two days beyond the time designated. The Govr ~~not arriving~~ [arriving]
[no] [illegible] explanation he thought himself trifled with, and ~~determined~~ to subject[ed]
to an additional insult. He therefore determined to return
to Knoxville and have the affair thoroughly [illegible]
settled. But he had not proceeded more than a mile & his friend Dr Vandyke
on his way before they met the Govr escorted by
about twenty persons. Jackson had a note prepared
reciting his grievances and demanding redress - which
he directed Dr Vandyke to advance with and deliver.
The Govr refused to receive it and the D^r brought
it back. Jackson ~~was armed~~ [rode] with a brace of
pistols and rode had a cane in his hand [armed]
and the Govr who likewise had pistols, [and] wore
his sword. Being irritated at this contemptuous
treatment, and resenting the injuries for which
~~for~~ he was denied the promised satisfaction,
he resolved at all hazards to have redress,
and advancing to within about a hundred yards
of the Govr with a measured pace, like a knight
in the lists he put spurs to his horse, and
with his cane in place of a spear charged
upon him. The Govr ~~rather not ex~~ [probably] in
~~rushed by~~ upon him. ~~and being~~ by the
pushing ~~this~~ [illegible] probably did
number of his attendants probably did
not expect this bold onset - and [illegible]
or ~~[illegible]~~ confusion is reported to have

[illegible] and for [illegible]

[illegible] and [illegible] His friends

[illegible] in his favour, and Mr. Green among them

common friends when by [illegible]

were induced to discontinue his attack. The parties

~~[illegible] brought together the affair [illegible]~~

~~[illegible]~~ A cessation of hostilities

having effected the parties made a some

unpleasant

~~[illegible]~~ together, and the affair terminated

~~though~~ not without some publications in

the newspapers which induced Judge McNairy

to reply to them by a statement with the

certificates of witnesses in his own

vindication. ~~The hostility to which he continued~~

~~exposed~~ Their disagreement contest, the

last estrangement and opposition of his

old friend Judge McNairy, and the extensive

hostility of to which ~~his agency in the detection~~

~~of the land office frauds~~, the causes

already ~~[illegible]~~ would had exposed him,

made the duty of a Judge irksome exceeding

irksome to him; and as cases under the laws

which had been enacted to punish or to defeat

the land office frauds were coming up

the prosecution of which he had aided

for trial, ~~his agency~~ prominent in their

detection, ~~and this situation~~ rendered his

his situation on the bench a delicate

one. As soon ~~therefore~~ as the Legislature

met ~~[illegible]~~ he sent in his ~~[illegible]~~ resignation

which was accepted on the 24th July 1804 ~~about nine~~
years after he was appointed. His cotemporaries
report (and particularly Judge Overton his successor, whose
legal knowledge is ~~known to be~~ admitted extensive & profound)
that his judicial opinions were prompt sound and
satisfactory — that although they did not display
a very comprehensive ~~know~~ legal attainment
~~yet~~ they ~~shewed~~ evinced an accurate knowledge of the
case and an easy but powerful application
of familiar legal principles to ~~the~~ the ~~solution~~ adjudication of its controverted
points. They ~~report~~ allow that ~~on his part~~ at the bar
~~that although~~ in ~~chancery~~ difficult chancery cases he
discovered a deficiency of research, ~~an inability~~
a want of that ability patience which patient study &
gives to disentangle the complication and
elaborate the spirit of involved equity ques
but they insist that in the management of
law cases he was a skilful pleader
~~that he~~ stated his case ingeniously, and argued
it with ~~fluency~~ ~~and force~~ applied his
testimony and authorities with address. ~~and~~
argue ~~explained~~ advanced his ~~arguments~~ reasonings
with fluency & force ~~and~~ insight in the prosecution
and defending of criminals, they say he was also
remarkably eloquent. ~~The legislature which~~
Hardly
~~never his resignation as Judge~~ con
had he resigned the office of Judge, when occasion
occurred for the election of a Major General of

1 23

~~major general~~ of the Militia, which [appointment] under the constitution of Tennessee is ~~conferred by~~ immediately by the votes of the people. ~~He without~~ On this as on all previous occasions his pretensions were urged by others not by himself. Gov. Sevier ~~his former~~ was his competitor ~~for this~~ and from his popularity & military fame was a powerful one. By the time the election came on, Gov. Roane ~~his successor had been~~ had succeeded to the chair of State, and the ~~vote~~ of the people being equally divided between Jackson & Sevier, the duty devolved on him of deciding the competition by his official vote. ~~A chance, a partiality, or an inspiration most~~ The caprice of chance, the partiality of friendship, or the ~~foresight~~ of judgment inclined the Gov. to ~~the~~ younger candidate, and in a happy hour for the liberties of this Country, Jackson was appointed to the command of a Division of Militia. The high claims of Sevier it is supposed had lost some of their force, in the estimation of the people by reason of his late disadvantageous controversy with Jackson, whose ~~high mettled spirit and alarming~~ fiery and romantic courage was the theme of public admiration, and made an impression most fortunate for the nation. ~~Hath the condition of this~~ Though holding nominally a military command, it can be easily conceived that in time of peace he was like a sword in its scabbard, and in all substantial respects, a mere private citizen ~~above~~ a condition of independence and repose ~~for which he had long pined~~, was calculated to assuage the

of his character to   45
ardour, and soothe the anxieties ~~of his spirit~~ to which his spirit
had been through ten [16] years of public exertions, and tempestuous
controversies, exposed. ~~Return He purchased a~~ To the
occupations
and ~~labours~~ of a farm on the Cumberland, in the immediate
neighbourhood of the one on which he now resides, he
then retired, with that satisfaction which repose promises to the
and that pleasure which ~~a real lover of nature~~ ~~his love~~ the simplicity
a real lover of the beauties & bounties,
and grandeur of nature, finds, in the rural employ-
-ments. ~~On~~ His professional labours, and economical habits
had enabled him to provide ~~a comfortable~~ or a small but a
a competent fortune, and he pursued the business of planting
with characteristic energy, and considerable success. He
often wielded the axe ~~&~~ managed ~~the~~ plough with his
own hands, and having a turn for mechanics he frequently
~~made for wrought~~ made his own ~~farming~~ implements of
husbandry. Having a taste for fine horses he determined
to make its gratification profitable, and begun the purchase
and importation of the finest Virginia ~~blood~~ stock; with
a view of rearing and selling ~~horses~~ them. This noble an-
His example has since been generally & successfully
followed, and Tennessee is now second to no state in the number
for the number & excellence of ~~high strained~~ full blooded
~~horses~~ horses. This business diversified and enhanced
the pleasures of a country life. His extensive circle
of acquaintance in the Carolinas, ~~in the~~ and at the
seats of the general Govt. together with his warm and
cordial hospitality brought to his house a constant succes-
-sion of visitors, and it was then observed that though a
private citizen, he was the most public man
in the state. In hospitable pleasures, domestic cares, and
~~several cases his time~~ the sweet amenity of home

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his time glided in a lively and limpid course, that
promised to convey him gently and smoothly to the vale
of years. But the fermenting spirit of a new and rising
society, the embers of ~~dormant~~ former feuds and contests soon
~~intruded the~~ roused up his enemy, a natural strain of vexation
and ~~disappointment~~ bitterness. ~~He had a~~ Among
his fine horses, was a favourite ~~one~~ called
~~Truxton~~ Truxton ~~though~~ esteemed ~~[illegible]~~ among the best sons
of old Diomed. His ~~form~~ superior figure and reputation made
it in some sort an object of ambition with
the owners of rival steeds to produce one
that could ~~beat him on the turf~~ ~~match him~~ beat him.
After importing one or two from Virginia ~~[illegible]~~
a Mr. ~~[illegible]~~ Erwin & his son in law Mr. Dickinson
proposed a match race, ~~with~~ Ploughboy against ~~Truxton~~ Truxton. for a bet of $4,000 -
~~[illegible]~~ forfeit one half - the stakes to be in cash or cash
notes due and bearing interest, ~~which was~~ the
bet was accepted by a Mr. Pryor, who for that
season had the superintendance of Truxton.
When ~~the~~ time for running came, the owners of Ploughboy
paid chose to pay the forfeit. Some difficulty
arose in the payment. Mr. Pryor objected that one of
the notes offered by ~~the~~ Erwin & Dickinson, was
not within the description stipulated by the bet.
However by the intervention of Jackson, ~~the difficulty~~
was adjusted & the parties agreed anew upon a ~~new~~ race
to be run between the same horses. It was won
~~it~~ was won so easily by Truxton ~~that~~ the owners of
Ploughboy were not a little mortified,
and Mr. Dickinson the younger and probably
the more sensitive of these, had his seemed

prepared ~~particularly~~ by this trifling incident for the reception of impressions which induced him to provoke an untimely fate. Talebearers had their usual place in the production of this catastrophe. ~~Mr~~ Dickenson was told that Jackson had represented to his discredit, the offer of an improper note in the settlement of the forfeit for the first race. Dickenson immediately indulged in resentful and abusive language respecting Jackson which being reported to him, he immediately called on Dickenson & his father in law Erwin, and to both denied the offensive remarks attributed to him, and demanded the recantation of such as Dickenson had used an retraction of them ~~towards~~ ~~him~~ him. This was done and to all appearance this dispute was ended. But unfortunately for Mr Dickenson ~~became~~ the he listened to the ~~insinuations~~ and irritating comments and provoking insinuations of Jackson the silent but inveterate enemies of Jackson whose hostility having grown out of his patriotic works & public services, could not cease as long as he remained a respectable character. With an imprudence more natural to his age than creditable to his judgment, he soon ~~began to~~ resumed an offensive attitude and repeated injurious expressions towards Jackson. Neither friends nor foes were wanting to ~~repeat~~ report this to Jackson. A second interview ~~repeat~~ ~~report~~ was sought by Jackson, and a second recantation made by Dickenson in the presence of his father in law Mr Erwin — but with a levity ~~which resembled~~ ~~his~~ inspiring levity. he soon admitted to his confidence the same Cormorants — and though in their late interviews Jackson had reminded him that he had ~~twice~~ injured him, and had warned

to lecture of the third time. ~~he was so intemperate as to~~ ~~expose himself imprudently demand his system~~ he imprudently aggravated all his former aggressions by ~~an abusive but paragraph~~ a scurrilous paragraph in a newspaper, ~~after~~ leaving which for publication he had taken passage in a boat for the lower country. As he was almost entirely a stranger to Jackson, and but a recent comer to the state, Jackson naturally suspected that he was the instrument of others malice, and he had on the former occasions been therefore more forbearing than his ~~warm~~ sensibility and pride would in other circumstances have permitted. His generous self restraint was unfortunately misinterpreted by others, and mistaken by Dickinson for fear, and his last outrage was rendered more intolerable by being accompanied by ~~this insinuation and by~~ corresponding ~~the~~ insinuations and threats. Under this pressure upon his pride & feelings Jackson had to wait with patience his enemys return, which was communicated to him by a friend, with the intelligence that Dickenson had on his arrival in Nashville sent to the printer another note more scurrilous than the former, & had expressed in it his intention of leaving the state in three days. Like an arrow from a long drawn bow Jackson instantly repaired to Nashville saw the note in the hands of the printer and sent its author one of those brief & stern challenges which intimate that the day of fatal settlement has come. His second was Genl. Thomas Overton, a revolutionary officer and a gentleman of high character for honor courage & decision. Although the challenge

was accepted. ~~the time for~~ the meeting was not designated
as promptly as Jackson desired, or as Dickinson's
declared intention of leaving the state in three days
seemed to require, it gave occasion to much uneasiness
on the part of Jackson, who in urging a prompt ap-
pointment on the score of his adversary's referred
to Dickinson's former insult & departure, & to the possibility
of a similar proceeding, ^and^ but added with a fierce and
awful smile - "~~It~~ ~~I'll follow him over land &~~
"It will be in vain; for I'll follow him over land
and sea." It was at length agreed on the 2d inst. ~~the~~ the intimacy
Dickinson, that he would ~~allow~~ grant ^ the meeting should
be held in eight days, & that ~~the~~ 250 miles distant, ~~&~~ it
take place at a ~~p~~ certain ^about^ point just over the
Kentucky border. This unfortunate young gentleman
~~then~~ ~~being~~ as a practised and excellent shot, unsuitable to the occasion
~~then~~ added ~~not a little~~ with a levity ~~very~~ ~~it is said~~ to his former impru-
-dences, ~~by offering~~ offered considerable bets that he
would kill his adversary; while Jackson as sedate &
~~silent and firm as death~~ ~~silent and~~ from which one
silent prepared for a meeting. The imprudence
of the parties was not to return. ~~The~~ discreet persons, who
of Dickinson, it was hoped by ~~discreet~~ of the affair, would
happened to get a knowledge of the civil authority
lead to the interposition of the civil authority. The day came
But this hope was not realised. ~~The~~ the word was given, both
the combatants met, & the word was given. He fired
were wounded, but Dickinson fell. He fired
rather first & with ~~a~~ good aim, his ball passing
through the left edge of Jackson's breast bone
just above the heart, and breaking in its

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passage out two of its ribs near their articulation with the sternum; ~~[illegible]~~ by its direction that his ~~[illegible]~~ position had unduly exposed him; and that had he been more to the left the ball he would not have been touched. His pistol was levelled when he was struck, but such was the energy of purpose with which it was aimed that its fire was not delayed nor its direction altered. Being asked afterwards how he could shoot with such accuracy the instant he rec.^d so severe a wound, he is reported to have rejoined answered — "If he had have shot me through the brain sir I should still have killed him." Although Genl Overton saw the dust fly out of his coat, yet ~~[illegible]~~ not ~~[illegible]~~ from the his firm, & ^stethed^ composed deportment he had no suspicion of his being wounded until ~~on~~ these alighting at an Inn about 20 miles ~~from the~~ on their ^way home^ ~~return~~ blood was observed to trickle from Jackson's ^left^ boot ~~which [illegible]~~ ~~fell from the [illegible]~~. The wound was then examined and dressed; & ^was^ found so serious as to confine him to his room for some days. Mr. Dickerson lived but a few hours after he rec.^d the wound, and ~~died~~ acknowledging his own folly, died ~~[illegible]~~ ^forgiven^ by all but those who ~~regretted that he had not couldn't~~ ^bew^ regretted that he had not killed Jackson.

~~[illegible]~~ the various ways

-ist in asserting that Dickenson's pistol had gone off by acc[ident]
and that ~~his ball having struck the ground near his feet~~ while then unarmed he
he had been deliberately shot by his cruel antagonist. Th[is]
~~a~~ misrepresentation ~~was fortunately~~ soon exposed by
the palpable & severe wound under which Jackson
suffered but other & more indirect means of injury were resorted to. These
Consisted in insulting the feelings of the public in favour
of Dickenson's memory, so as to reflect on the chara-
-ter of Jackson his adversary. With this view
when the result of the duel was known the court
which was then sitting in Nashville ~~adjourned~~
adjourned in the midst of a cause; and, a
thing unprecedented, ~~in~~ the newspaper announcing Dickenson's de[ath] was put in
mourning, as if the State had lost a great benefa[ctor]
~~Upon~~ Although Dickenson was a young man
without any publick pursuit & almost a strang[er]
in the country. ~~Upon having this~~ Jackson called
on the publisher enquired the cause of this unusual
proceeding, and was informed that it had been done
at the request of a large number of his subscribers. Their
~~list of these petitioners was shown~~ names were
shown, and at the head of the list was that of a gentlem[an]
who ~~had been~~ was had but lately partaken of Jackson's
hospitality for months, and was considered one of his
most intimate friends. This unjustifiable conduct
occasioned a correspondence, which did not terminate
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only in ~~this other~~ an ineffectual adjustment

[illegible] at the [illegible] of the

[illegible] for [illegible]

[illegible] finely, with writing [illegible] with [illegible]

the charge, and not he retracted the [illegible]

some years after (it is said) voluntarily acknowledged his mistake

to Jackson and they were reconciled. But the tale of the

tale was industriously circulated by the [illegible]

this seed [illegible] respecting the duel with Dic-

Jackson fabricating or renewing misrepresentations

implicating his humanity & honour, one of which

went so far as to charge him with having [illegible]

his fire when his own pistol snapped, and then

deliberately cocking it & shooting his adversary

[illegible] down. A statement embodying some

of these slanders was at length published in

his own hand by a near connection of Dickinson

which drew from Jackson a [illegible] reply

corroborated by the certificates of Genl Overton

Dr Catlett, which setting the affair in its

true light and justifying his conduct and

character completely and reacting with

severely on his defamers. For a season

he was left to enjoy his well earned re-

-putation and well defined peace of mind

without disturbance. About this time

(1805) Aaron Burr who had just finished his

term of office [illegible] as Vice President

visited the ~~western~~ ~~coun~~ made a tour through the western states. and coming to Nashville paid a visit to Genl. Jackson with whom he had known & been acquainted in the Senate of the U. States. He was recd. with that cordiality and respect which the rank ~~which~~ he then held in public estimation required, and with a hospitality so entertained agreeable to him, that he continued in its enjoyment for about six weeks. Genl. Overton who had known him in the Revolution took occasion to renew the intimacy ~~they~~ ~~had~~ that had existed between them ~~at~~ in that service ~~years~~ ago - and the citizens of Nashville, ~~gave~~ paid him the flattering (for then it was rare) distinction of a public dinner. After spending a month or two in Tennessee he took boat & descended the river to Louisiana whence returning in the spring of 1806 he proceeded to N. York. In the following summer he ~~returned to~~ revisited the west, but was preceded by so many rumours to his discredit, which, though none of them specified any precise ~~charge~~ ~~of~~ ~~guilt~~ ~~time~~ act of enormity or degree of turpitude as chargeable upon him, all concurred in imputing to him illegal if not treasonable intentions directed against the safety and honour of the U. States, that when he presented himself at the ... ... threshold of his former

friend, he was rec^d ~~so coldly~~ with such cold and altered
looks by Genl. Jackson & his lady that he staid but a
few hours. He hired lodgings at a country store which in the
neighbourhood, in which the present Genl. Coffee had
an interest, & there mentioned to Coffee the harsh re-
-ception he had met with at Jacksons. In a
few days Jackson having obtained the con-
-currence of Genl. Overton & some other neighbours
determined to wait on Burr and explain the
cause of the alienation which ~~had~~ existed in his
mind & had been expressed in his manner.
At this interview Jackson mentioned the number
& character of the rumours which were cir-
-culating ~~to~~ respecting Burrs designs - accusing
him among other things of meditating a dismemberment of
the Union. ~~He~~ Burr declared protested ~~assured these gentlemen~~
in reply that the rumours were silly and
false, and as he thought destitute of plausibility,
and after much vehement denial assured
Jackson & his friends upon his honour that
his object in coming to the western country
& placing himself near the Spanish frontier was
not without the ~~with the~~ knowledge and approbation of our
Govt., & to prove the truth of this assurance,
pulled ~~out~~ forth of his pocket a ~~com~~ blank
Commission signed by Mr. Jefferson - saying
"Gentlemen I suppose this will satisfy
you" Genl. Jackson had often seen

seen the signature of Mr. Jefferson when the latter was V. President, and Genl. Overton was more familiar with it from ~~the~~ habits of intimacy & correspondence. They both acknowledged it to be genuine, and ~~were satisfied~~ under the impression it created that it created were satisfied for the time of Burrs innocence. Soon after this the then Vice President ~~proceeded~~ on his last ~~great trip~~ voyage down the Mississippi, and in a few days thereafter ~~~~ a young Gentleman said to be the natural son of Burr, & professing to be on his way from N. York to join him, introduced himself at ~~Genl.~~ Jackson's house. He spent a day or two there, and in the course of his visit talked unguardedly of Burrs projected attempt upon the Mississippi ~~province~~ Spanish province of Mexico. Jackson expressed incredulity and ridicule at the idea of such a scheme & said among other things that it appeared to him to be a design as weak as it was wicked — seeing that Burr had neither the physical nor pecuniary force sufficient to execute such an undertaking. The other answered that as to physical force that could not be wanting, ...

and the principal officers of his army were
associated in the project—that pecuniary supplies
would be taken from the Bank at N. Orleans
where transports would be obtained, & where
Gen. Wilkinson & the troops were to be
conveyed to Vera Cruz where the standard
of Mexican Independence was to be raised
That ~~it was expected~~ the voluntary & perhaps
the united cooperation of the western states
was ~~strongly~~ calculated on. This communication
although at variance with the late solemn & significant signature of Mr. Jefferson stating
-mance of Burr, which & the uncertain state
of our relations with Spain at the time
countenanced, was yet so circumstantial
in its details and positive in its ~~delivery~~
tone, ~~that~~ as to make a strong impression
on the mind of Jackson. Without loss of time
~~therefore~~ he addressed letters conveying it,
to the President of the U. States, to one of the
Senators ~~of~~ ~~from Tennessee~~ & to the Represen-
-tative of his District in Congress, and
to the Govr. of Louisiana, relating the
~~[illegible]~~ particulars to each of them, offering
his services to the Executive of the U. States, &
putting Govr. Claiborne ~~that of Louisiana~~ on his
guard against the alleged menaced

his attack upon his capital. It is known that Whatever Burr's designs may have been he failed to accomplish them, and that he only succeeded in prostrating himself. Jackson was a witness on his trial. From this period until the war of 1812 he remained in retirement withdrawn from politics and devoted to private amusements and pursuits. Among which the rearing of fine horses was a favourite one. He attended races and sometimes bet hig[h] but has never been known to bet- but was never a person considered on the turf, a Sportsman. ~~His friend Genl. Overton~~ ~~was~~ He once bet on a cock fight but only once- having a distaste for this low and cruel diversion, and a prevailing indisposition to hazard money ~~by his early occupation and~~ ~~training~~ Confirmed by his early & critical experience at Charleston. He was however more than usually attentive to his Division of Militia, and singularly Spirited and war like in his appearance and deportment on parade. This was frequently remarked, and has since then been

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fondly remembered by ~~a~~ his friend. They were that they then saw in him distinctly the ~~hero~~ future hero.

His mysterious presentiments, his daring and alarming catastrophe, his Spirit

Here must follow an account of his ~~commercial~~ mercantile entanglement — his decisive mode of extrication and his trip to the Indian country & difficulty with Dunmore the Indian agent.

In the midst of these private engagements and ~~complete~~ this ~~abstraction from the political~~ this complete abstraction from publick cares, he ~~was not unattentive~~ kept himself well acquainted with ~~to the~~ our national policy, and was observed to be particularly fond of ~~the~~ military reading, of which the current ~~accounts~~ of the French wars afforded an ample supply. It is said that whenever he ~~read an account of a battle~~ came across the description of a battle, he was accustomed to criticise all its details, the numbers, the ground, the ~~movement~~ evolutions, with a spirit & sagacity which evinced ~~his fondness~~ ~~the~~ his uncommon power ~~of perception~~ of comprehending such subjects ~~and having~~ ~~always the best informed politician~~ ~~and of deter~~ and of discriminating their most important features. The animation with which he conducted the pursuits of his diversion, was also singular and remarkable. His patriotism was known to be inventive, his honour spotless, his talents unquestioned and his courage ~~fiery~~ and alarming.

~~and was not without its effect in infusing his rigor with proud & [illegible] a martial spirit~~

~~and a proud attachment to in the corps of citizen soldiers he~~

~~commanded~~ ~~unusual with collections of citizen~~

~~soldiers in time of peace~~

and was not without its effect in infusing into his

corps of militia a proud and martial spirit

~~not~~ unusual with collections of citizen soldiers

in time of peace. They knew his sensitive [illegible] very

his spotless honour, his high talents, his romantic

courage, ~~and~~ his soldier like ~~and~~ frankness

and liberality ~~and the more~~ [illegible]

They ~~knew~~ were aware that he was not new to the dangers

of regular ~~and~~ or of savage war — that he

was capable of enduring privation and labour

without murmur or fatigue — & that like

~~many~~ themselves, he had the sure eye, the

quick ear, and the active step ~~swift foot~~ of a hunter.

~~The [illegible]~~ These qualities commanded their

respect, ~~and confidence~~ and united their

attachment & confidence. And the more dis

cerning among them seeing in him a greatness

of soul that ~~gave a boundless~~ impelled him

with unbounded devotion, to the support of his

~~any sentiment~~ whatever sentiment

~~cause of~~ duty or of his honour might

inspire ~~[illegible]~~ fairly presumed ~~and~~ that

if ~~[illegible]~~ in the career of national

events occasion should

be given for the ~~exer~~ exertion of our military strength

Jackson would speedily find a glorious death

or a high place in the admiration of his country.

When therefore, in preparation for the war of ~~1812~~ ~~was declared~~ against Britain by the act of 6th Feby 1812

and ~~the~~ president ~~of the~~ was empowered to accept

the services of 50.000 volunteers, no surprise was

felt at Jacksons making an appeal to the patri-

-otism of his division and no hesitation on their

part to comply with it without delay. Two thousand

eight hundred men enrolled themselves as volunteers

in the U States service under his command & he

he tendered ~~their~~ the services of this patriotic

corps ~~thro~~ to the President through the Govr.

the Govr. of the state. The tender was cheerfully

accepted by the president, ~~who [illegible]~~ with the

expressions of "his admiration of the zeal &

ardour" by which it was prompted. × As soon as

this acceptance was communicated by the Govr

to Jackson, it was proclaimed by the latter

to his gallant volunteers, who ~~[illegible]~~ collected

at Nashville without loss of time, and were

there quickly and vigorously organized.

His orders and ~~proclamations~~ addresses

breathe an ardour of patriotism ~~and~~ a

spirit of enterprise, and a resolve to acti-

-vity, very unusual at that time for [illegible]

× letter from Secy of war to Govr. Blount 11th Feby 1812

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corps of irregulars to vaunt their courage and inisure their discipline ~~seems to have been~~ he seems to have exerted all ~~the~~ powers of persuasion ~~and excitement~~

In his ~~first address~~ general order announcing the organization of his staff, he ~~thus~~ addresses his ~~followers~~

"Fellow soldiers — we are to act and our country and our gov^t. expect us to act with effect. To do this, ~~implicit obedience~~ to your commanding & strict ~~general~~ subordination must be maintained. Courage alone, although it may effect wonders, is not at all times adequate to resist ~~military~~ discipline and military skill." — ~~You are commanded~~ after ~~cautioning~~ enjoining on them strictly to abstain from "insulting the citizens or destroying their property" he adds — "When your general reflects that patriotism alone has induced you to exchange the civic wreath for the military plume — to forego the endearments of social & domestic life, ~~to~~ & to sacrifice if ~~necessary~~ your lives in defence of your country, he cannot persuade himself to believe ~~for~~ a moment that ~~there is one in~~ this heroic band who will tarnish his honour, disgrace his country, ~~or~~ reflect lasting infamy on his posterity by such unwarlike conduct."

He concludes his appeal by ~~describing~~ declaring that his ~~[illegible]~~ "that of a brother

to his family" an assurance which he kept inviolate.
~~contributed to the~~ It ~~the~~ a dispensation of providence
enabled him to impart to the martial spirit of
his ~~subordinates~~ the interest of history and the
dignity of grief. An officer of the Revolution
who had long resided at Natchez died
on the 26th Decr and on the 17th Jackson issued
a general order, ~~requiring him to be interred~~ the claims of the
~~with ambulance~~ meeting
deceased on the gratitude of the country
& ~~that~~ the memorable respect of American
soldiers, and requiring ~~him to the~~ his body to be interred
with military honours & followed to the
grave by the whole detachment. He
attended, although he was impatient to move on his expedition, & spared no pains to give to ~~festivity~~
& solemnity to the scene — ~~[illegible]~~ as Achilles
suspended his attack on the Trojans, that he
might celebrate the funeral ~~[illegible]~~ of
his friend. ~~Having completed the the preparation~~
Having completed the preparation of his
army, ~~[illegible]~~ established a strict police & inculcated the ~~[illegible]~~ discipline & military
order, & provided for its subsistence and
collected its transportation, on the 7th Jany the
corps ~~were embarked in a flotilla~~ consisting
of two Regts of infantry and one of cavalry
were embarked in a flotilla of keelboats
& flats & ~~[illegible]~~

for N. Orleans. Col Coffee ~~commanding~~ the Regt of Cavalry ~~&~~
~~Troops~~ Col Hall the 1st & Col Bradley the 2nd Regt Infantry
Col ~~Wm~~ Carroll with the rank of Major was
~~Major~~ appointed ~~[illegible]~~
his Brigade Inspector. The weather was very cold, and
at the Cumberland holds a north west course from
Nashville to its junction with the Ohio a distance
of about 200 miles, the expedition was much
obstructed by ice & ~~snow~~ the troops suffered
greatly from the cold. ~~But nothing could damp~~
~~the ardour of the men~~ But in the course of
10 or 15 days they reached a milder latitude
~~& persevering~~ in their ~~voyage~~ purpose, they reached
Natchez on the 16th Feby. having completed
a voyage of 1000 miles in about 4 weeks. ~~[illegible]~~
allowing for their detention for supplies at
Clarksville & other points. His original destination
had been New Orleans, where he was to cooperate
with Genl Wilkinson of the U.S. Army
in the defence of the lower Country.
But at on landing at Natchez he recd
~~a~~ a letter from Genl Wilkinson advising
him to halt at or in the neighbourhood
of Natchez. The reasons for this advice and orders
~~of~~ ~~[illegible]~~ the scarcity of forage ~~for~~ ~~and of~~
~~supplies~~ for the cavalry below,
the climate to strangers,
~~[illegible]~~ ~~[illegible]~~ from

and the eligibility of a position equally favorable for a more
~~ment to meet the enemy should he attempt a descent~~
An attack on N. Orleans, or a descent on Mobile, or
an invasion by way of Pensacola. Jackson
being a Major Genl of Militia & as a volunteer in
the service of the United States, & his officers having
been commissioned by the President, would probably
have felt ~~some~~ little difficulty in receiving orders
from Wilkinson who though in the regular service
was but a Brigadier Genl in the line, and a
Major Genl by ~~Brevet~~ only. His orders moreover
instructed him "to ~~await~~ proceed to his district
and to await the orders of Govt." ~~Some diffe~~
-rency appears in their correspondence on this
point which resulted in the ~~unproper~~ acknow-
-ledgment of Jackson's independence, and in the
formation of hasty cooperation & reciprocal
support. Having reached and occupied, near Washington Mi, an airy
and commodious site for his camp Jackson
~~began~~ renewed his attention to the disciplin
of his detachment with zeal and effect. Orders
and instructions to this effect were daily
issued. ~~Offenders~~ courts martial instituted. Offenders
slightly punished or freely pardoned and enjoining
commanding the inviolability of civil rights and
the security of ~~private~~ property. Whenever
[illegible] contest

but unambitious duties, although he describes himself happy

as happy, he was evidently not satisfied, but burned

with impatience for more active and perilous employ

-ment. In a letter to Genl. Wilkinson of the 8th March

he laments his inactivity & says, assures him that should

active service be required his this willingness to march

to any point where it can be performed— adding

"I am happy here, but should be more so even if I

could render you any service for the best that

[illegible] by my detachment." While he was indulging

But in the midst of this happy and [illegible] patriotic and

patriotic enthusiasm— which he [illegible] which he generally

indulged and freely successfully inspired, he

recd. an order from the War Dept. informing directing

him to "consider his corps as dismissed from public service"

and to be and to deliver over and "to take measures

to expressed in the following words— Sir— The

causes for embodying and marching to New Orleans the

corps under your command, having ceased to exist, you

will on receipt of this letter, consider it as dismissed

from public service, and take measures to have

delivered over to Major Genl. Wilkinson, all articles

of public property which may have been put into its

possession. You will accept for yourself and your

corps the thanks of the President of the U. States. I have

the honour to be &c &c "John Armstrong" [illegible]

Through [illegible] communicated

-cat[ion] of this [illegible] communicated

It might easily be supposed that ~~the laconic~~ this mandate was more easily [written] than complied. ~~The laconic~~ Its brevity ~~seemed~~ in contrast with the extended hopes which the general had indulged and inspired, and its coldness fell damp upon the ardent expectations which beat in ~~every~~ the bosom of the ~~leaders &~~ troops and their leaders - and the annoying pettiness with which their [abortive] services were noticed & their military existence extinguished ~~seemed to render the expedition ridiculous~~ ~~and the~~ was calculated to make the whole expedition ~~ridiculous to the world~~ farcical in the eyes of the world & ridiculous even to those engaged in it. ~~The mass~~ men The great body of the detachment were filled with ~~the~~ surprise and indignation. ~~The~~ Their murmurs soon rose to loud execrations, and at ~~dinner~~ ~~one of~~ one of the Regimental ~~dinners~~ messes, a captain drank as a toast ~~[illegible]~~ ~~Rope~~ "The rope that hangs Madison & Armstrong." They had ~~meant~~ sacrificed domestic comforts, abandoned civil pursuits, cherished heroic visions, & marched a thousand miles - all as it seemed for nothing - and were suddenly left without motives for action, subjects for hope, the ~~means~~ of profession, or the means of return ~~for between~~ them and their homes ~~[illegible]~~ [illegible]

where the uninhabited ~~country~~ unexplored wild extent on the N. ~~and~~
Marches, and a distance of 600 miles more than half
~~through~~ Indian and unsettled territory, ~~seemed hard~~
to undertake and difficult to accomplish. Jackson
though more keenly disappointed, and deeply sensitive ~~for~~
~~them~~ his followers, was not left in ~~doubt~~ ~~what~~
A ~~high~~ ~~and~~ painful course of duty ~~of~~ ~~purpose~~ d.
~~him~~, ~~and~~ brought into action the best feelings
of his nature & the highest powers of
his judgment. His staff officers concurred too
heartily that the notification of dismissal
contained in the ~~same~~ ~~tenor~~ Secretary's despatch
was an order to disband them, and through
them that became the general impression
of the corps and of the publick. But Jackson
~~too~~ ~~that~~ ~~it~~ ~~in~~ ~~a~~ ~~different~~ ~~light~~ ~~placed~~ ~~a~~ ~~very~~
~~more~~ ~~accurately~~ ~~interpreted~~
gave it a truer interpretation, and tho' the reputation
his conduct and his feelings concerning the
sudden and unprovided dismissal of his corps to be ~~injurious~~
unkind if not injurious treatment, & ~~even~~
of honour and a spirit of delicacy made
him ~~anxious~~ impatient to dispense his
and their connection with the government
of the U.S. But this impatience he would not
gratify at the expence of his men—on 150
... their sick, and all of whom
... authority and assistance

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"promised them
when first embodied he had ~~declared to them that their~~
~~, to make~~ the care of a father, and this promise
he was determined to perform. He felt too that he
was no longer an officer of the U.S. govt. ~~except~~
so far as his ~~instrumentality~~ was necessary to ~~[illegible]~~
~~provide~~ for the ~~legal~~ discharge of his men;
and that his official relation to the ~~executive~~
of Tennessee, as well as his personal relation
to his volunteers, who at his solicitation, had
~~enrolled~~ themselves in the service of the U.S.
imposed on him the strongest obligation to
take care that the detachment sustained
~~no injury~~ no injury or injustice from the govt
which had employed it. In addition to the
motives which these considerations supplied,
~~familiarity~~ the claims of ~~[illegible]~~
~~[illegible] to~~ furnished others
and ~~friendship [illegible]~~
peculiarly ~~[illegible]~~ impressive
~~and~~ on a warm & generous temper.
He therefore determined to comply with the
order of the govt. in the mode which should
best secure the comfort & the rights of
his detachment. ~~This~~ ~~[illegible]~~
This was to keep them embodied, until he
could provide the means of subsistence
and transportation, and then to march them
back to Tennessee, and have them paid
off & ~~discharged~~ mustered
out of service by the ~~[illegible]~~ of the

U.S. In forming this resolution he had reference to the laws of congress under which his corps had been raised into service by the president, wherein he found it provided that, "whenever any officer or soldier shall be discharged the service, he shall be allowed his pay and rations, or an equivalent in money for such term of time as shall be sufficient for him to travel, from the place of his discharge to the place of his residence, computing at the rate of twenty miles to a day." As there were no directions given by the Secy for the execution of this important clause of the law, Genl Jackson and as the quarter Master of the dept. district had not the means of doing it, Genl Jackson's view that a legal discharge of his men could not be effected on the spot, at Natchez [illegible] Having [illegible] his decision, he communicated on the 15th to his principal officers [illegible] & commenced preparations for carrying it into effect. He addressed letters of [illegible]

15th March lation to the president and the Secy of war, complaining warmly of the unfeeling neglect to which his detachment had been subjected, by their peremptory compliance with the invitation of the post and notified Govr Blount

the 15 D. of the fact, and of his intention to provide for the safe [illegible] he could alledging to [illegible] speaking of men.

[illegible] of the [illegible] operations of the U.S.

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he says to the Secy "they abandon us in a strange country, and have ordered us to be divested of all public property. There is no reservation — not even a tent, for the canopy of a sick man's bed." He adds "I have however from the necessity of the case determined to keep some of the tents & to march the men back in as good order as possible; and I will make every sacrifice to add to their comfort." This was not an empty appearance for not being able to obtain funds from the paymaster, he borrowed 5000 dollars ~~from the U.S.~~ on his own private account from a merchant of Natchez ~~Having~~ and ~~when~~ gave up his own horses to the sick, marching on foot himself for hundreds of miles. When he first announced his resolution to keep the men together & march the detachment home, it ~~appears to have~~ ~~not both~~ been concurred in by his officers. ~~But before~~ "But those officers, amongst ~~whom after~~ whom were &c + This disagreement is supposed to have been the germ of future ~~discontent~~ ~~differences~~ embarrassment + difficulties to the service, of subsequent differences between Jackson & some of these officers. Having obtained or rather extorted from the quartermaster, who had no great regard for

+ Reid & Eaton's Life of Jackson p. 21

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for what he called militia & no respect [illegible] he considered discharged. ~~Such spirit was only the first of them~~ ~~But such spirit was only~~ ~~whether it was only the first, it certainly added. But it may only have been the first of these dissentions, and have had no effect on But whether it was~~ At any rate it added to ~~the~~ the difficulties he ~~embarrassment, and aggravated~~ had to contend with — for the ~~regular~~ officers in the quarter masters dept — having the customary ~~and felt~~ ~~for irregulars~~ and a due portion share of contempt for what ~~he~~ ~~was~~ considered dishonor of it no doubt for what ~~no doubt~~ felt the less disposed militia, ~~and I was then~~ to regard the requisition of Jackson, when he found that his measures were disapproved by his own officers. His energy and perseverance overcame all obstacles — ~~he~~ silenced the opposition in his camp, and overawed the reluctance of the quarter master — so that he obtained 20 days rations for his corps and 13 ~~baggage~~ waggons ~~with a small~~ ~~supply~~ for the transportation of his sick. These being ~~were~~ insufficient, ~~and~~ when the detachment was about to move, Dr. [illegible], the principal surgeon asked Jackson what ~~was~~ he was to do? "To do sir, you are to leave not a man on the ground." "But the waggons are full & they will convey not more than half" "Then let some of the ~~[illegible]~~, and the officers must give

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~~off~~ up [illegible] to the sick. Not a man is, must be left behind." ~~The Doctor obeyed this order with as much energy as it was given~~

The obedience of the Doctor was as energetic as the command of the Genl. for the first requisition he made ~~for~~ the horses of the ~~Genl.~~ [illegible] officers were for those of Jackson himself. ~~It was~~ ~~twenty~~ obeyed and after a fine example presenting all murmurs at the ~~throughout the~~ [illegible] of ~~junior~~ officers of ~~the~~ privation ~~on the part of~~ inferior ranks.—

It appears that when Jackson's requisition was first made for the wagons it was complied with & that 13 wagons were sent into his camp. But the Quarter Master ~~con~~ adopting the idea that the troops were disbanded & the general no [illegible] ~~longer~~ in service ~~there~~ & probably disposed to facilitate the designs of the ~~recruiting~~ regular officers ~~of the regular~~ who hoped to ~~enlist~~ profit by the disorganization of ~~the~~ the volunteers, & ~~to enlist~~ to make many recruits, dispatched ~~an express~~ a messenger ~~to~~ New Orleans who returned on the night previous to Jackson's march, with such communications as induced the Quarter Master to visit the camp in the dead hour of night and to discharge the wagons,—making it impossible as he thought for the ~~detachment~~ to move. Accordingly soon after ~~Reveille~~ the wagoners reported to the Genl. their discharge by the Q M & requested their

intention to command him. He as[?] fully [illegible] proof[?] enough of the unwillingness of the Dept. to employ you, & is more to discharge you. Your march at the [illegible] assuming for [illegible]". He had other difficulties to contend with although Genl. Wilkinson had promised him every assistance and accommodation in his power particularly in his letter of the 1st march, yet when he was applied to by Jackson for transportation & other conveniences for his funds and other conveniences for his disembarking the return to Nashville, the genl. pleaded the usual ~~&~~ want of ability and doubts of power. And although in the same letter he had enclosed a general order forbidding the recruitment of the volunteers into the regular army without the consent of their officers, yet before the march of Jackson commenced, he had a confidential officer on the ground from N. Orleans, for the special purpose of enlisting Jackson's men. To this officer Jackson, who soon detected the design, had it intimated that any attempt of the kind would expose him to the ignominy of being drummed ~~out~~ through his camp, and rendered too contemptible to obtain the confidence of the men. He further strengthened his line of Centinels - had all his men [illegible] by the proper officers

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and superintending them with redoubled vigilance left not a man in the power of the agents, ~~conducted them all in safety to their homes~~ and although much every proffered pecuniously to his departure endeavoured to shake his resolution by alarming his fears as to the displeasure of the Govt. ~~at~~ at such an unauthorized step, he conducted them all in safety to ~~Tennessee. On the~~ the detachment left their position near Natchez and on the reached Columbia in Tennessee, after a march of miles through a wilderness; the greater part of them indignant at the desert of government and neglect of the Genl. Govt. but animated with admiration and gratitude for Jackson, to whose generous and faithful care they owed their ~~safe~~ return. At Columbia they were met by proper staff officers of the U.S. & ~~regularly~~ paid off & regularly discharged. The govt. virtually approving the course of measures Jackson had pursued. ~~[illegible]~~ The order from the war dept. which terminated this expedition, ~~[illegible]~~ ~~[illegible]~~ as it is, a figure, hastily as a reason for the ~~[illegible]~~ ~~the expectation of~~ the

that "the causes for withdrawing and marching" the corps of under Genl Jackson had ceased to exist. ~~Nor does it dissipate those causes thoroughly to~~ conjecture. It does not however dissipate those causes. Nor is it easy to conjecture what they were. Pensacola and its Capital were exposed to invasion on the 15th March when the order was recd at Natchez, as on the 7th Jany when the detachment moved from Nashville. No forts had been erected within that period on the coast of the ocean or of the River. No additional defences of any sort had been prepared at N. Orleans or on any ~~avenue leading~~ of its approaches. The regular and Neither the regular nor the Militia force within that military district had been increased, in equipment or numbers, or received any thing like a new Establishment. For on the first of March Wilkinson writes to Jackson "I regret your dragoons are not armed, because I have not the means to supply the defect, for I fear you are to have only 50 swords, although I have again written for 300".

The only difference of change which had taken place in the state of affairs, which could ha

our influence on the ~~measure~~ expedition, was + strong in the Cabinet which had placed Genl Armstrong at the head of the War Dep^t – a citizen of New York whose frontier borders on Canada, a man of high powers of mind, and of great confidence in those powers; whose early Services in arms under Gates had ~~com~~ familiarized his mind with a sort of classical predilection for Canadian expeditions, and whose recent residence at the Court of Napoleon had inspired the belief that the conquest of a province ~~by~~ was an operation as certain and ~~al~~ even easy as a victory on the Chess board. Wilkinson & Hampton had figured on the same theatre in the Revolution and had both gained distinction in the captivity of Burgoyne. The former probably ~~dept~~ deprecated the intrusion into his department of a General who was not inclined to submit to his command. And the latter was unwilling to discontinue ~~[illegible]~~ preparations for defence in the south, that he might [illegible] ~~the~~ energies of the ~~great~~ nation & ~~the~~ powers of his talent and experience to the ~~[illegible]~~ early theatres of ~~[illegible]~~

of American glory — ~~on which fate~~ ~~had~~
which on which Genl & his command[er] ~~[illegible]~~
& Montgomery his brother in law fell.

End of Chapter

Soon after his return to Tennessee, Col Benton
who had commanded one of his volunteer Regts
of Inf[antr]y, ~~[illegible]~~ & had also performed occasional
duty near his person as ~~volunteer~~ aid de camp,
being ~~upsetting the sudden termination~~ of this
Military being desirous of obtaining more
permanent and effective military employment
applied to Genl Jackson for ~~a~~ letters of re-
-commendation to the War Dept to return an
application ~~for~~ which he intended to make
for a commission in the Regular army
~~He~~ The letters he desired were given him
he presented them in Washington and ~~rec~~ obtained the
Commission Lt Col in a Regt of Infantry.
It happened while Benton was in Washington
a brother of his had very imprudently got
himself engaged as a volunteer in a quarrel
with Major Carroll, ~~[illegible]~~ since well

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the Senator of the U.S. from Missouri

General Carroll.

discharged the militia of Tennessee [illegible] returned to Nashville on the [illegible] to appease by total [illegible] and [illegible]

[illegible] in October, the cool weather coming [illegible] able into the indefensible patriot government [illegible]

to hold a treaty with the Chickasaw Indians, which eventuated in cession to the United States of a large and fertile [illegible] country [illegible] at present the western [illegible] 3. 4 or 5 [illegible] join the western counties of [illegible]

Continuing [illegible] the [illegible] of his duties as Major Genl. he was [illegible] in 1819 to purpose the [illegible] of the Choctaws for the cession of a considerable district to [illegible] Mississippi which [illegible] in 1820 very much to the [illegible] and advantage of that [illegible]

[illegible] time however [illegible] 1819, our govt. having recd. advance that an attack on New Orleans & Mobile was meditated by Spain, [illegible]

Genl. Jackson was directed [illegible] by a private order of the 27 of [illegible] Novr. 1819 to [illegible] in readiness to seize the Spanish posts in Florida & to take possession of that territory. He made proper arrangements and communicated confidentially his orders to his principal officers but

discouraged the mobility of ...

returned to Nashville ...

4th of July, ... in October, the cool ...

the venerable patriot Gov. ...

to hold a treaty

with the Chickasaw Indians, which eventu[ally]

... cession to the United States ...

... of a large and fertile ...

country, comprehending ...

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3.4 or 5 ... counties of ...

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... and advantage of that patriot...

person ... Number of the ... ×

... the ... time however

... 1819, our govt. having re...

... advice that an attack on New

Orleans & Mobile was meditated by Spain, ...

[illegible]

position ... Genl. Jackson was directed ...

of it and ... by an order of the 2 ...

Nov 1819 to ... in readiness

to siege the Spanish posts in Florida & to ta[ke]

possession of that territory. He made prep[aratory]

arrangements, and communicated ... confi[dential]

his orders to his principal officers ...

[illegible] ... be required for the ... about 4 5 millions of acres of land which ... the whole amount of the national debt ... [illegible]

the intentions of Spain having been ~~[illegible]~~ ~~abandoned~~, no attempt of the kind was made, and no means to countenance it required. In ~~the spring of~~ March 1821 he was appointed commissioner ~~to receive the~~ on the part of the Govt. of the U States, to receive from the Spanish authorities the ~~cession of the province~~ cession of the Floridas. ~~and at the same time the appointment of Governor of the~~ ~~[illegible]~~ In the despatch communicating this appointment, was enclosed the commission of Governor of Floridaᵃ with ~~conferring~~ such almost unlimited powers, which he very reluctantly ~~accepted~~ agreed to accept, and ~~only then~~ only upon condition that he should be permitted to resign it as soon as he should have accomplished the ~~transfer~~ ~~of the~~ ~~[illegible]~~ transfer of the province, according to the provisions of the treaty of cession, and as congress should have finally organized their government ~~in conformity with the powers delegated to him~~. It will be recollected that the treaty of cession was signed at Washington on the 23d Feby 1819, and that ~~[illegible]~~ in August following the King of Spain refused to ratify it. In the mean while Mr. Monroe then on a tour through the southern ~~divisions~~ of the Union which Jackson as Major Genl. commanded had been accompanied from Nashville to Lexington by the Genl. During their visit to the latter place, Mr. Monroe intimated his intention of appointing him Govr. in the event of the treaty being carried into effect, and expressed ~~his earnest desire~~ an earnest hope that he would not decline the office. The General however declared that the ~~slanders and~~ misrepresentation by which the motives of his conduct in that ~~Country had~~ been assailed, ~~both in an act of~~

a. ~~See the~~ letter from Mr. Secretary Adams to Genl. Jackson dated 12th March 1821, in the Docs. accompanying the Presidents message of the 5th Decr. following.

Congress rendered it impossible for him to undertake any agency in the cession or superintendance, without a violence to his feelings to which he could not submit. There were men of -[illegible] who imputed his military occupation of Florida in the Seminole campaign, to a desire on his part to engage in land speculations. A design as foreign from to the dignified n[illegible] of his character as the imputation was unfounded in truth. In the course of the succeeding winter however when it came to be known that the treaty would be carried into effect by Spain, numerous letters were addressed to him by members of Congress - the mutual friends of the President and himself, urging him, by appeals to his patriotism, and to his peculiar and endearing connexion with the South & western quarters of the Union to forego his personal objections, and accept that delicate and important trust. Before he made up his mind the appointments were made and he did not decline them.

In his negotiation for the cession, his usual vigour judgement and diligence were displayed. The ambiguities and imperfections in the terms of the treaty occasioned some difficulty respecting the fortresses, and their artillery, but these were skillfully referred by the generals to the diplomatic agents of the two govts and the cession was speedily brought to a close. From that moment his commission as Major Genl. in the U.S. army ceased, and his authority as governor of the Provinces commenced. In this capacity he was invested (in the words of his commission) "with all the powers and authority heretofore exercised by the Spanish Captain Genl. & Intendant of Cuba, and

the Governours of East and West Florida, within the said provinces respectively." The only express limitations taken, were contained in a provision reserving the power of imposing additional taxes and of granting land. By the law of Congress ~~regulating the conferring the Power to take possession of Florida~~ providing for the temporary Govt. of Florida, another quasi exception was created. "A Judge was to be appointed solely to administer the laws relating to the revenue and its collection & to the slave trade."

But Judge Fromentin arrogated these functions, and placed them in opposition to the unquestionable authority of the Governour, treating with contempt and defiance his judicial powers, ~~while~~ while legally exercised and for a laudable object. It is hardly necessary to add, that the Judge made himself ridiculous and that the Governour made him respected.+ Having fully fulfilled his duty to the country and performed his promise to the President in this important office, in which he had the delicate task of ~~[illegible]~~ applying almost arbitrary power to the Citizens of the ~~U~~ U States, he resigned it and returned to his residence near Nashville, delighted again once more to enjoy the tranquil pleasures and agreeable comforts of home, and the grateful immunities ~~in this land~~ [illegible] of a private citizen. But the admiration of his ~~[illegible]~~ friends invaded the cancelled modesty of his retirement and presented him to the nation as their candidate.

+The reader who may wish to see a full description of this subject is referred to a paper that was published under the signature of Jefferson in the Richmond Enquirer, last winter. From that and a subsequent paper under the same signature several passages are incorporated in this sketch, and it is hoped are there sufficiently acknowledged.

the Governours of East and West Florida, within the said provinces respectively. The only exceptions taken were contained in a proviso reserving the power of imposing additional taxes and of granting land. By the law of Congress ~~regulating the conferring the President to take possession of Florida~~ providing for the temporary Govt of Florida, another quasi exception was created. "A judge was to be appointed solely to administer the laws relating to the revenue and its collection & to the slave trade." But Judge Fromentin arrogated these functions, and placed them in opposition to the unquestionable authority of the Governour, treating with contempt and defiance his judicial powers, ~~which~~ while legally exercised and for a laudable object. It is hardly necessary to add, that the Judge made himself ridiculous and that the Governour made him respected.x Having fully fulfilled his duty to the country and performed his promise to the President in the important office, in which he had the delicate task of ~~exercising~~ applying almost arbitrary power to the citizens of the ~~U~~ U States, he resigned it and returned to his residence near Nashville, delighted again once more to enjoy the tranquil pleasures and agreeable com[forts] of home, and the grateful amenities ~~in the land~~ of a private citizen. But the admiration of his friends ~~[illegible]~~ invaded the cancelled modesty of his retirement and presented him to the nation as their candidate.

x The reader who may wish to see a full description of this subject is referred to a paper that was published under the signature of [illegible] in the Richmond Enquirer last winter. From that and a subsequent paper under the same signature, several passages are incorporated in this sketch, and it is hoped are thus sufficiently acknowledged.

Received from the Secretary of the Treasury, March 7, 1923. These letters are printed in "Narrative and Correspondence concerning the Removal of the Deposites and Occurrences Connected Therewith. Philadelphia 1838 [Wm. John Duane]

PRES. JACKSON AND SECT. DUANE TREAS. DEPT.

LETTERS TO DUANE
JUNE - SEPTEMBER 1833

Treasury Department

A.

Boston June 26th 1833

My dear Sir,

I send you herewith a paper containing my views upon the subject of a discontinuance of the Government deposits in the bank of the U. States, and the substitution of certain State Banks as the fiscal agents of the U. States so far as those duties are now performed by that institution.

The only difficulty I have for some time had upon the subject has been as it respects the time when this change should commence. Upon a careful review of the subject in all its bearings, I have come to the conclusion, that it ought to be done as soon as we can get ready and at farthest by the 1st or 15th of September next, so that we may have it in our power to present the new system to Congress in complete & successful operation at the commencement of the session.

In the furtherance of this object it is in my opinion desirable, that you

should

should appoint a discreet agent to proceed forthwith, with proper credentials from your Department, to the Cities of Baltimore, Philadelphia, Newyork, and Boston to consult with presidents & Directors of the State Banks in those cities, upon the practicability of making an arrangement with them, or some of them, upon something like the following terms. viz;

first That one Bank be selected in Baltimore one in Philadelphia, two in Newyork, and one in Boston, with a right on the part of the Government, to add one in Savannah one in Charleston, S.C., one in the State of Alabama, one in Neworleans, & one in Norfolk, upon their ~~exceeding~~ acceeding to the terms proposed, which shall receive the deposits in those places respectively, and be responsible to the Government for the whole public Deposits of the united States.

2.d That these Banks shall have the right by a convention of their presidents or otherwise, to select all the Banks at other points throughout the United States in which the public money shall be deposited with an absolute negative by the secretary of the Treasury.

3. That the Secretary of the Treasury shall
have power to discontinue the
Deposits in any Bank, or Banks, or
break up the whole arrangement
whenever he may think proper, he
giving in such case the longest
notice of his intention to do so, which
the public interest may admit of.

4. That the primary & secondary Banks
shall make returns of their intire
condition to the Secretary of the Treasury
monthly, or as much oftener as he may
require, and report to the ~~Secretary~~
Treasurer weekly the state of his Deposits.
and that they will also subject themselves
to a critical examination of their Books
and transactions by the Secretary of
the Treasury, or an authorised agent,
whenever the Secretary may require it.

5th. That the arrangement of the Government
be only with the primary Banks which
shall be responsible to it, not only for the
safety of the entire Deposits whenever
made, but for making payments at
any place in the U. States, without charge
to the Government, in gold & silver, or
its equivalent, of any sum which may

required there to be paid by the Secretary of the Treasury — that they will also pay any expenses that may attend the removal of the deposits, as also the compensation and expences of any agent temporary or permanent, who the Secretary may appoint to examine into their affairs.

6th That they will render or cause to be rendered, without charge, any service which can now be lawfully required of the Bank of the United States.

7th It would be inconvenient to employ all the State Banks in good credit at the places designated for the location of the primary Banks, but it is nevertheless extremely desirable to secure their good will and friendly co-operation. The importance of that object is too obvious to require elucidation. It is supposed that it might be accomplished by an arrangement between the primary Banks, & the other institutions in their immediate vicinity, by which, in consideration of an assumption by them of a share of the responsibilities assumed by the primary Banks, an equitable share, all proper circumstances considered, of the benefits of the public deposits would be

2d

secured to the other institutions referred to. This might be done by allowing them respectively a credit at the selected Banks, equal to their share of the deposits, taking into accord the amount of capital, the trouble of the primary banks, & all other circumstances entitled to consideration. If such arrangements could be made it would not only, increase the actual security of the government, but consolidate the entire mass of the mercantile community of the principal cities in favor of the system, & place its success and permanency beyond contingency. If the negotiation upon the subject is, in the first instance, opened with delegations from all the Banks in the cities referred to, and them candidly informed of the desire of the Government, to award facilities and extend equal benefits to all, but that in case of failure to make such an arrangement it would have to select, at its own pleasure, the requisite number, there is reason to hope the arrangement would be brought about.   Amos Kendall Esq

would, in my opinion, be a proper person to be employed in the proposed negotiation. These ideas will be ~~viewed~~ & regarded by you as suggestions for your consideration only, and will if adopted without doubt be ~~considered~~ rendered more com=plete and effectual by such modifica=tion and additions as may present themselves to your own mind.

You will at once perceive that it is not my wish to remove from the Bank of the U. States the funds of the government which may happen to be in deposit there when the proposed change takes place otherwise than as they may be wanted for the service of the government, but that they be exclusively drawn upon for that object untill they are exausted.

In making to you my dear sir, this frank & explicit avowal of my opinions & feelings, it is not my inten=tion to interfere with the independent exercise of the discretion committed to you, by law, over the subject. I have thought it however due to you under the circumstances to place before you, with this restriction, my

my sentiments upon the subject, to the end that you may upon my responsibility allow them to enter into your decision upon the subject, and into any future exposition of it, as far as you may ~~they~~ deem it proper.

I have the honor to be very respectfully
your most obt. servt.
friend
Andrew Jackson

William J. Duane Esqr
Secretary of the Treasury -

B

~~[illegible]~~

To the Honorable

Wm J. Duane

Secretary of the Treasury.

Sir,

The President of the United States deems it proper to submit to you a full development of the policy which he thinks it his duty to pursue in relation to the Bank of the United States, and the future management of the public revenue so far as it depends on his action or authority

In his first message to congress in December 1829, he expressed his doubts of the constitutionality and expediency of the present Bank of the United States and called the attention of his fellow citizens, as well of congress as of the country at large to the question of a recharter or the substitution of a new [illegible] upon different principles

In his message of December 1830, he repeated
his doubts on this subject and threw out for consideration
some suggestions in relation to a substitute. In
his message of December 1831 he referred to the
opinions expressed in his preceding annual messages
and declared that he left the subject to the consid-
-eration of the people and their representatives. At
that session of Congress, the Bank petitioned for a
renewal of its charter; and the representatives of
the people and of the states in Congress, by a major-
-ity of both houses, passed a bill granting
their request. Upon this bill the President deemed
it his duty to put his constitutional veto.

The President was then a candidate for
reelection. His veto of the Bank bill brought
the subject directly before the people who were
about to express their opinion upon his official
acts. By both parties in the contest the

principle issue was joined upon the Bank veto, and, by a decisive majority, the people condemned the bill passed by Congress, and approved the act of the President declaring the Bank to be both inexpedient and unconstitutional. To this decision given by the highest power known on earth, it was hoped that the Bank and its advocates would cheerfully submit. To the public functionaries who are now called upon to act on the subject, it seems to the President, that it ought to be a rule and guide next in authority to the constitution itself, because it was given by a majority of the states and a majority of the people who make the law makers and have a right to direct them. He therefore considers it a settled question, so far as public sentiment is concerned, that the present Bank of the United States is not to be rechartered.

Thus far no suggestions of any particular substitute

seem to have been received with favor by the great community. To most of the projects which have been thrown out, the same constitutional and other objections exist which have induced the people to condemn the present Bank. In the President's view any Bank created by Congress authorised to exercise corporate powers or transact private business out of the district of Columbia, without the consent of the States, would be unconstitutional, and it is questionable whether any Bank whose corporate powers should be limited to the district would succeed in making such arrangements with the State Governments as would enable it to act efficiently under their jurisdiction as the agent of the general Government in the management of its fiscal concerns.

There is just ground to fear that in the

creation of a substitute as great danger, if not greater, may be incurred as that which now threatens the american people. A corporation of individuals deriving its powers from congress ~~and the President~~, pervading every section of the Union will in the general, by controlling the currency and leading men of the country, be more powerful than the Government, and may seriously thwart its views and embarrass its operations. This is one of the dangers of the present Bank. But any substitute which should concentrate the same or a like power, and be put entirely ~~[illegible]~~ under the control of the General Government, might by the union of the political and money power, give the administration of the Government more influence and the Government itself more strength than is compatible with the safety of the States, the liberties of the people and the purity of our republican institutions.

Having considered the subject in all its bearings the President has come to the conclusion that all idea of any substitute for the present Bank in the shape of a new institution ought to be abandoned, at least for the present. The President having adopted this opinion as the guide of his future conduct it becomes the bounden duty of the Executive branch of the Government to make a sufficient and reasonable provision as far as it has power to do so, for this branch of the public service.

The State institutions are in his opinion competent to perform all the functions which the U S Bank now performs or which may be required by the Government. At the same time that they cannot so effectually concentrate the money power, they cannot be so easily or effectually used for individual political or party purposes as a Bank of the United States under any form and of any character. It is therefore the desire of the President that you should immediately turn your attention to the making of such arrange-ments as will enable the Government to carry on all its fiscal operations thro' the agency of the State Banks.

Connected with this subject is the question of a discontinuance of the public deposits in the Bank of the United States and the substitution of the

State Banks for that purpose. That such a change must at length take place is admitted by all those who acquiesce in the decision of the American people at the last Presidential election. The question is merely one of time.

The embarrassments that would unavoidably result from an attempt to make this change until the expiration of the charter of the Bank of the United States are too apparent to require explanation. The least reflection and the slightest acquaintance with the subject will suffice to satisfy all disinterested and unprejudiced minds that unless the President looks either to a renewal of the charter of the Present Bank, or the establishment of a new one, from either of which views he is precluded by his declared opinions, he would best discharge his duty by putting the plan which he proposes in operation ~~in sufficient season~~ in sufficient season before the expiration of the charter to afford a satisfactory test of its practicability when that time arrives.

The charter of the present Bank expires on the day of 1836. With the best exertions on your part it will not probably be in your power to complete the arrangements with the State Banks so far as to enable you to commence

the deposits in them until the middle of September. From that time to the expiration of the charter is upwards of two years, a period which will not be more than sufficient to test the efficacy and propriety of the substitute he wishes to have adopted. The President is therefore of opinion that it would be a just and wise exercise of the discretion in the matter confided by law on the Secretary of the Treasury to direct the public deposits to be made in the State Banks from and after the 15th of September, if the arrangements to be made with them shall then have been completed. The President has no doubt that the proposed experiment will serve to satisfy the people that a national Bank can be dispensed with, without serious injury or embarrassment to the public service or the substantial interests of the country. If the result be otherwise it will then become the right and duty of the Government and people to decide between enlarging the authority of the Federal Government and the exercise of that which it possesses within the District of Columbia. The only objection that can be made to so early an exercise of the authority conferred upon the Secretary of the Treasury over the public deposits must have their foundation, either in the interests of the Bank and the supposed desires of that

institution upon the favor of the Government or in a supposed capacity and disposition on the part of the Bank to impair the public credit and embarrass the pecuniary affairs of the country in case of a disregard of their wishes, and in an apprehended deterioration of the currency.

The President does not find any insuperable obstacle to the proposed measure in either of these considerations. The Bank has no right to invoke the favor of the Government. Whatever may, heretofore, have been its claims in that respect, they have, the President regrets to say, been forfeited by the unjustifiable and high handed manner in which its affairs have been administered — an administration in many important respects unfaithful as an agent of the Government, and which, in the opinion of the President proves it to be an unsafe one. So far as the interests of the Bank are identified with those of the public and as it respects a careful observance of the public faith by securing to the Bank the full enjoyment of all the legal rights which are conferred by its charter, the Government will doubtless perform its duty. Further than this the Bank has no claims upon its favorable consideration.

It is the duty of the Bank to wind up its concerns in such a manner as will produce the least pressure upon the money market. This duty is rendered imperative as well in consideration of the extensive exclusive privileges which it has so long enjoyed, as by the best interests of the stockholders. But if on the contrary it be the pleasure of those intrusted with the management of its affairs, in revenge for a refusal of the Government to comply with its wishes by continuing to it privileges, when all moral as well as legal rights to them have ceased, to mark its dissolution by such an abuse of the national trust, the country must abide the issue. To succumb to the demands of the Bank upon such pretences and under such a menace would be a virtual subversion of the Government, productive of more immediate dishonor and ultimate detriment to the best interests of the nation than can possibly arise from the adoption of any other course. The President is however happy to believe, for reasons hereinafter given, that there is no solid foundation for the alarm which has been occasioned on this subject. That the currency of the country could be better preserved by means of a well regulated & honestly conducted

national Bank is very ~~probable~~ possible; although it is quite certain that the difference between a circulating medium supplied by such an institution and that which is furnished by the State Banks in the present prosperous condition of the country, is greatly exaggerated. But if the apprehended derangement of the currency should take place it will be for the people to say whether they will seek redress from the evil by conferring constitutional power on Congress to establish such a Bank. No good citizen it is hoped will desire to have it done in violation of the constitution. If the evil were upon us we should not seek an exemption from it at such a sacrifice: much less ought we to involve ourselves in it upon the mere anticipation of inconveniences which may never happen and which the President firmly believes are not to be justly apprehended. He will state the facts upon which these opinions are founded — facts which he believes to be incontrovertible and he will accompany that statement with such observations as are in his judgment called for by the occasion and fully justified by the nature and character of the transactions referred to.

At the beginning of the year 1831 the aggregate debt due ~~the~~ to the Bank of the United States was $42.402.304. Although it was well aware that the Government designed shortly to call out nearly all the large deposit it then had in Bank for the purpose of paying the public debt, and that its charter would expire in a few years, it nevertheless proceeded to increase its loans in such proportion that in May 1832 the debt due to it was $70.428.070 – shewing an increase in sixteen months of 28.025.766 equal to about sixty six per cent.

The *motive* of this enormous extension of loans can no longer be doubted. It was unquestionably to gain power in the country and force the Government thro' the influence of the debtors to grant it a new charter.

The *effect* of the extension was to put it out of the power of the Bank promptly and faithfully to pay over the public money received by it, upon the demand of the Government, in discharge of the public debt. The expedient to which it resorted to sustain itself under this unprecedented extension of its business, and the pretenses by which it has attempted to justify them —

have proved it to be unworthy of ~~[illegible]~~ the confidence of the Govt.

It will be recollected that the greatest extension of the business of the Bank was in May 1832. It has since been proved by its official acts and correspondence, that in March 1832, two months before the extension had arrived at its maximum, a negotiation was commenced with agents representing about $1.700.000 of the three per cent stocks in Holland, and about $1.000.000 held elsewhere, with the object of relieving the Bank from its payment for one or more years after it might be required to be paid by the Government. After this negotiation had been commenced, a notice from the Treasury Dept that the Government intended to pay off one half of the three per cent stocks on the 1st of July succeeding, brought the President of the Bank to Washington for the purpose of soliciting a postponement of that payment until the first of the succeeding October. Upon his representation

that in case the payment were required in July the Bank would be unable to accommodate the debtors of the Government, especially in New York, as it had done and desired still to do, and upon his undertaking on the part of the Bank to pay the interest for the quarter, his request was granted. By developements since made, it appears that not even the usual indulgence had been or was thereafter intended to the debtors of the Government or others at New York or elsewhere, their accommodations having been largely curtailed, and that the only conceivable motive of the Bank in asking the indulgence and agreeing to pay for it, was its own inability, with convenience or safety, to pay over a portion of the large public deposit on the 1st of July.

The relief obtained by this indulgence of the

Government was not as extensive as the condition of the Bank seems to have required. The negotiation with the agent of the Dutch holders of the three per cents was continued; and early in the month of July, when the Bank understood that the Government intended to pay off the whole of the three per cents in the latter part of the year, a mission to England was projected with the view of secretly negotiating with the holders of those stocks residing abroad and inducing them by the payment of an interest equal to that paid by the Government, or greater if necessary, not to present their certificates for payment for one year at least. The ~~[illegible]~~ agent of the Bank sailed for Europe in July to make the arrangement at all events, and on the 22^d^ August entered into an agreement with the House of Baring Brothers & Co. by which, in consideration of the payment of all expenses and a commission of one half per cent by the Bank they undertook

1. To invite the holders of the three per cent stock of the United States to retain their stock until October 1833, the Bank paying the interest quarterly.

2. To buy up the said three per cents on behalf of the Bank, the Barings retaining the certificates and passing their account to the debit of the Bank which undertook to pay any interest they might be obliged to pay.

3. To give the Bank a credit in addition to its running credit for a sum sufficient to make up $5.000.000, if the purchased and deferred stock should fall short of that sum, charging the same interest as in their running account with the Bank - their whole advances to be reimbursed by the Bank in October 1833.

The first item of this agreement was in direct violation of the duty of the Bank to the Government,

inasmuch as it was an interference without its knowledge or consent to prevent the payment of the national debt at the period when it was required, the stockholders being permitted, as one article of the contract with them to retain their certificates. This was the less excusable in the Bank, because, the amount required to be paid on the 1st Octr was less than $9.000.000, when the public deposites at the time the agent was sent to England and the agreement was formed exceeded $11.600.000, and on the 1st of October had increased to $13.661.193.

The second item of the agreement was a direct violation of the charter of the Bank which forbids the purchase by it of the public stocks of the United States.

The substance of the three items of this agreement, specifically set forth, was received by the President of the Bank in a letter from the agent, about the 1st of October 1832, the time at which the payment of

two third of the three per cent stocks was required by the Government to be made. This arrangement, relieving the Bank from the necessity of making payment in October and the succeeding January to the amount of $5.000.000, or providing means to meet them other than the usual resources of the Bank enabled the institution at the time of its receipt, to change its policy, measurably suspend its curtailments and in some quarters extend its accommodations. These steps taken immediately upon receipt of the substance of the agreement, indicate that the Bank sanctioned the act of its agent and did not then contemplate any disavowal or change of its terms.

This negotiation had been commenced and consummated without the knowledge of the Government. The agreement formed was even concealed from

the directory of the Bank and they were induced by other considerations urged by the President to change the policy of the institution.

About the 12th October this the publication of the circular sent out by the Barings in pursuance of their agreement with the Bank, the Government and directory obtained the first intimation of this transaction. It was now evident that all its features must come to light: and three days afterwards the President of the Bank wrote a letter to the Barings disavowing so much of the agreement as related to the purchase of stocks and proposing a new arrangement in relation to the deferred stock which should at the same time relieve the Government from its responsibility and the Bank from the payment of the money at least for one year.

From that time forward the Bank has been

strengthening to retrace its steps and rid itself of its first secret and unauthorized agreement. It has procured most of the certificates and surrendered them to the Government; but has made new arrangements, avoiding the payment of money for them to a large amount, thus confirming the inability of the Bank to pay over the public money on deposit when it was required. If the new arrangement proposed in relation to the purchased stock and other stock which the Barings were requested to purchase under certain circumstances, has been carried into effect, it is in fact as much a purchase and as much a violation of the charter as the first transaction.

The President thinks the conclusion cannot be resisted, that it was the purpose of

of the Bank, or its chief managers, to carry into effect the illegal contract with the Barings, and that this result was prevented only by the publicity casually given of the transaction: and he does not consider that any confidence is due to an institution which is ready to violate its charter and thwart the payment of the public debt, provided the means and manner by which it operates can be concealed from the Government and the country. Nor does it recommend itself to public confidence when it alleges as reasons for these various negotiations and arrangements, a desire to accommodate the public debtors, which it never did; and to avert the evils of a pestilence which had neither appeared nor was anticipated when they were first originated. Least of all can the Government place any confidence

in it, when it has attempted, without the least founda-
tion in fact, to attribute its own illegal and
unauthorised acts to suggestions made by the Government
itself.

The President looks upon these transactions as
conclusive proof of the inability of the Bank, during
the year 1832, to refund to the Government its public
deposit for the payment of the public debt, as it
was its duty to do. And he considers the pretences
and misrepresentations by which it had attempted
to ~~misrepresent~~ conceal this true cause from
the Government and country, as proving it to be
unworthy of public trust. Not the least obnoxious
of these transactions is the object for which the
Bank sought to retain the public deposit and
postpone the payment of the public debt. It had

used the money of the people in extending its loans $18.000.000 in sixteen months, for the purpose of bringing the people within its power. It had secured to its interest editors and presses by extraordinary loans upon unusual terms. By the same means, it had sought to procure the friendship and support of public men who might have an influence or a vote upon the question of its recharter. By the use of the public funds as well as its own, it was attempting to control public opinion and overawe the Government. It begged indulgence of the Government that it might retain its own funds as the means of controlling it, and when those funds could no longer be retained with its consent it sought to keep them without its consent by secret arrangements with the public creditors residing in Europe, and when detected in this effort resorted to direct loans from the subjects of ~~foreign nations~~ to enable it to

accomplish the same end.

It was when its loans and accommodations were approximating to the highest point that the Bank came before the Government for a recharter, and they reached their maximum while the subject was under consideration in Congress. With debtors to the amount of seventy millions of dollars, it threw itself into the political arena and submitted its case to the people of the United States. Its presses poured forth their arguments and predictions of mischief from the veto of the President - it expended its money in the publication and distribution of political essays affecting the question of recharter and impeaching the acts of the executive _ the most direful evils were anticipated by its advocates from its destruction; and every effort which money would command or zeal render, was made to secure in its favor

the verdict of the American people. In this struggle it was sustained not only by its own funds but by a public deposit of $12.000.000. It was to be expected that after being defeated in a conflict so tremendous it would have acquiesced in a decision which it had sought and provoked, and without further exerting its power or spreading its corruptions would have been content quietly to wind up its concerns. Contrary to this just expectation its organs and advocates declare it to be again in the field seeking to overrule thro an act of the agents of the people the solemn decision of the people themselves. It has been increasing its accommodations to the managers of the press and favoring public men with extravagant loans for unusual terms and on doubtful security. The chief business of the Bank instead of being informed

by "not less than seven directors" as required by the charter and in accordance with the rules, has been done by committees whose proceedings are concealed from the Board. To cut off all channels of communication with the Government in relation to its acts and abuses, not one of the five Government directors was at the commencement of the present year appointed upon a single committee. And when those directors sought to reform this abuse and restore the business of the Bank according to law and its own rules that Board instead of changing the practice to conform to the rule, changed the rule so as to conform it to the practice, thus not only in practice but by a positive rule violating, repealing, and setting aside an express and material provision of the act of Congress which gave it existence. Altho at a more

recent period and by an unusual remodelling of the committees, a part of the Government directors ~~have~~ has been placed upon some of them; yet in the Exchange committee, this which most of the extraordinary loans appear to have been made the Government is still wholly without representation.

The allegation recently so often promulgated that the Treasury of the United States was exhausted and insolvent when it had not within the last and present year had less than six millions of public money in its vaults, must have been passed over as a harmless misrepresentation; but when the Bank seeks by substantial acts to impair the credit and depreciate the honor of the country at home and abroad, the affair assumes a different aspect. A bill was drawn by the

United States on the Government of France for about $900.000 being the amount of the first instalment then due under the late Treaty of indemnity. The Bank became the purchaser of the bill and it was accompanied as required by the Treaty with an order of the President formally executed, authorising the cashier of the Bank or his assignee to receive the proceeds. But the money for which the bill was sold instead of being drawn out by the Government remained in the Bank. The French Government contrary to all calculation suffered the bill to be protested, and it was paid out of the funds of the Bank by their agent in Paris. The Bank indirectly ~~exalted [illegible]~~ ~~[illegible] Government~~ and

~~[illegible]~~ without having incurred any damage save a trifling expense and a trifling disappointment, has claimed of the Government, without law and contrary to right fifteen per cent for damages, amounting to about $138.000 with interest. This it does altho' it has had the use not only of the proceeds of the bill, but of a public deposit equal to seven or eight millions of dollars during the whole time free of charge. This claim and the spirit in which it is presented ill became an institution which was created for the convenience of the government, has had for ten years an average public deposite of near nine millions of dollars which it has used without charge in loans and exchanges at great profit and even now has thus in use about eight millions of the public money.

By these misrepresentations and acts on the part of the Bank the President thinks it has forfeited ~~all~~ all claim to the confidence of the Government ~~and people of the United States~~, and ought not to be longer retained in ~~the~~ its service.

In his message at the opening of the last session of Congress, the President recommended "an inquiry into the transactions of the institution embracing the branches as well as the principal bank" with a view of ascertaining whether it was any "longer a safe depository of the money of the people".

The apprehension intended ~~here~~ then to be expressed was not that upon a final settlement of all its concerns the Bank would not be able to pay the Government the amount of its deposit, but simply that it was unable or unwilling to pay over that deposit when demanded by the Government

for the public service, in either of which events it must be pronounced unsafe.

The committee of ways & means of the House of Representatives to which the subject was referred, did not make the general investigation recommended by the President. They confined themselves chiefly to the transactions relative to the three per cent stocks and elicited many facts tending rather to increase than diminish the apprehensions previously entertained. In the slight attention paid by them to the general concerns of the institution, several important facts of the same tendency were disclosed, particularly in relation to the means by which it had kept up the appearance of great strength during the year 1832 and the character of its western debt. In the facts developed by the committee, the President finds cause rather of increased apprehensions for the safety of the public interests if the connection between the Government and Bank be further maintained than of any abatement of those expressed in his message.

It is true that the House of Representatives without
examining or having an opportunity to examine, on
account of the lateness of the session and their not being
printed, the report of the minority or the evidence upon
which the views of either the majority or minority are
maintained, declared, by a large majority that in
their opinion the public deposits were safe in that
institution. That expression of opinion, though entitled
to much respect, is neither conclusive nor obligatory
upon the Executive Department, if the state of its
information leads to a different conclusion. It
is deemed of the less weight now, because the subse-
-quent conduct of the Bank has evinced its
determination to persist in and perpetuate the
abuses which have heretofore given just cause
of complaint, to misrepresent its own condition
and that of the Treasury, and to impair the credit
of the Government itself.

But the President does not rest it

~~That the~~ insecurity of the public deposits is not the only reason which will justify their removal from the Bank of the United States. The President thinks that the use of the means and power which they give, to corrupt the press and public men, to control popular elections, to procure a recharter contrary to the decision of the people and to gain possession of the Government which it was created to serve, are substantial reasons requiring their removal.

He thinks that reasons equally conclusive may be found in the exclusion of the Government directors from all participation in the principal business of the Bank, performing in secret committees that which should be done in full board, and cutting off as far as possible from the Government all knowledge of its material transactions and the condition of its debt.

But the strongest and controlling reason in the mind of the President is that which has been before referred to and which consists in the necessity of organizing a new scheme for the collection, deposit, and distribution of the

public revenue based upon the state Banks and making a fair experiment of its practicability before the expiration of the charter of the existing bank, that the country may have a fair opportunity to determine whether any Bank of the United States be necessary or not.

The President has weighed with great care the reasons which have been urged from all quarters against ~~seeming~~ [severing] at present the connection between the Bank and the Government. A leading ~~reason~~ [objection] ~~urged~~ [and] is, that the Bank of the United States has the power and in that event will have the disposition to crush the State Banks, particularly those which may be selected by the Government as the depositories of its funds, and thus cause wide spread distress and ruin throughout the United States. If this apprehension be well founded it proves two things of fearful import:

First, that the Bank of the United States has the power to accomplish the ruin of the state Banks and cause general bankruptcy and distress among the people, and secondly, that there is a disposition to exercise that power, unless its forbearance be purchased by that of the Government. A conviction that these things are so, instead of inducing the President to forbear, would only make him the more determined, by all ~~legitimate~~ the legitimate means in his power to resist a corporation which, altogether irresponsible to the people, already holds in its hands their interests and their happiness. If this despotism be now partially fixed upon the country, a struggle must be made to cast it off or our people will be forever enslaved, and that struggle can never be made with less distress to them or under more favorable auspices than at the present moment.

But the President as already stated looks upon all these

apprehensions as destitute of real foundation. The same language was held before he put his veto upon the recharter of the Bank as well as subsequent to that important act. Time has shewn that the curtailment of the accommodations and circulation of the Bank produces no sensible effect upon the business of the country. The establishment of new state Banks and an extension of the old fills up the space from which the U S Bank withdraws, and the community at large is scarcely sensible of the change. Such will be the progress of events until the Bank has wound up its concerns and ceased to exist, when its absence will neither be felt nor regretted by the people

It is the President's opinion that the power over the state banks which the Bank

of the United States now possess, is derived almost wholly from its receipt of the public revenue. It is chiefly thro' the moneys thus received that it obtains directly or indirectly the paper of the State Banks and raises balances against them. If its receipt of the public revenue shall cease, its means of raising those balances will cease. If the State Banks become the receptacles of the public revenue they will be instantly enabled to raise like balances against the Bank of the U S and its branches. That Bank will not only be deprived of power, but that power will be transferred into the hands of the State Banks thus producing a double effect on both parties. The State Banks being without branches have but one point to guard and all their concerns are under the eye of one directory: but the Bank of the U S having divided

into twenty six offices or departments scattered thro the union, has twenty six points to guard, and not knowing at which an enemy may strike, must be at all. If it make war upon the State Banks selected as the agents of the Government, what can prevent the latter from accumulating in the receipt of the revenue the notes of any one of the interior branches to an amount larger than this specie on hand, and without notice presenting them at their counters for payment? How would the Bank of the United States in case of a contest with the State Banks guard against the stoppage by this process of all their interior branches in detail, especially when it is considered that the notes of all its branches, in consequence of being received in payment of revenue duties, naturally concentrate at Philadelphia and New York where

they constitute in fact, as shown by the Bank reports almost the entire currency in which those duties are paid. By this tendency of the currency large balances now accrue in the principal bank and Atlantic branches of the U.S. Bank against the interior branches - the inconvenience of which is not seriously felt because they are all parts of the same institution. But the State Banks when in receipt of this paper, will not permit them to accumulate; and if they choose to make war on the interior branches may with perfect ease break them up one after another, by throwing back their circulation in masses which they will not be prepared to redeem.

It has been urged as an argument in favor of a Bank of the United States as well as not disturbing the present bank by a removal of the Deposits that great

injury will accrue to the country from a loss of the general currency, any where of equal value, now alleged to be furnished by the Bank of the United States. The only currency known to the constitution of the United States is gold and silver. This is consequently the only currency which that instrument delegates to Congress the power to regulate. A general paper currency being unknown to the constitution, does not come within the scope of any of its provisions and cannot be regulated under its authority. To prove its usefulness or necessity might prove the expediency of enlarging the powers granted in the constitution but not of exercising a power not granted.

But it is not a fact that the Bank of the United States furnishes a currency of equal value throughout the country. The notes of one

one Branch are not cashed at another nor are they taken on deposit, nor generally even in payment of debts. So far as its own business is concerned as independent of that of the Government the notes of each branch are now a local currency and their credit confined to its vicinity. But the Government by receiving all those notes in payment of duties and taxes throughout the United States gives the general credit they possess in opposition to the policy of the Bank. If the favor of the Government were withdrawn and branch notes no longer received in payment of public revenue, the present policy of the Bank would make them as much a local currency circulating only in the immediate vicinity of the branches whence they issued as are now the notes of the State Banks. And it is in the power of the Government at any moment to give a general credit to the notes of twenty six or any

the number of state Banks, by announcing that they will be received in payment of public dues throughout the United States. ~~[illegible]~~ ~~[illegible]~~. It is not the Bank therefore which furnishes the general currency, but the Government. The Bank only stamps the paper and puts it in circulation, but it is the Govern--ment that gives it a general credit. When the U S Bank shall cease to be, we shall still have such a general paper currency consisting of the notes of state Banks receivable in payment of the public dues. It will be as

it is now, the act of the Government and that only which will give it a general circulation and an equal value. On that score, therefore, no serious inconvenience will arise to the Government or the people.

As an argument that the present bank ought not to be further molested and that its charter ought to be renewed or another bank established to take its place, reference is frequently made to the distresses of the last war and the derangement of the currency which grew out of them. The President is satisfied that had the old Bank of the United States been continued in existence during that period, instead of aiding the Government in carrying on the war it would have compelled it to make peace on ignominious terms. Not only was a large portion of its stock held by the subjects of the British monarchy, but they had a right to vote in the choice of directors, and much of the

domestic stock is believed to have been held by men who were equally disposed to embarrass the prosecution of that war. So far from aiding the Government itself it would undoubtedly, not only have opposed it, but prevented the state Banks from rendering that aid which was actually received from them.

It is unjust to the state Banks to attribute to them the embarrassments of the Government and country which led to the suspension of specie payments and a depreciated paper currency. All these are attributable to other causes.

~~with [illegible]~~
~~[illegible]~~
~~[illegible]~~
~~[illegible]~~
~~[illegible]~~
~~[illegible]~~

In consequence of combinations among men of wealth opposed to the war the requisite loans of

"money could not be procured — disasters overtook our arms for the want of the necessary supplies of funds and others were threatened. If patriotism ever actuated Banks it was felt in the operations of many of the local banks at that gloomy period. At the hazard of their existence they furnished the means of raising armies and maintaining them in the field, and it was in their efforts to sustain the Government, that they so far crippled themselves as to be obliged to suspend the payment of specie. If the Bank of the U S had then existed it must have done as the state Banks did, or it would have effected nothing in support of the Government. If it had not joined the combination against the Government it could not have furnished the funds which the exigencies of the country required without suspending the payment of specie. Instead of hostility and persecution

the Government owed the state Banks gratitude and support. Their credit during the whole war was as good as its own, and without their aid the Treasury must have stopped payment. But no sooner had peace arrived and a profusion of revenue begun to flow in then the Government not recollecting that it was impossible for the state Banks at once to bring down their business and redeem themselves from the difficulties into which they had thus been led, insisted upon an immediate resumption of specie payments, and because a demand so unreasonable was not forthwith complied with created a new Bank of the United States to coerce them. There is not a doubt in the mind of the President, that had not this institution been created, all the state Banks which were sound would have been compelled by public opinion to resume the payment of specie as soon as they were able, and that in a short period every section of the Union would have enjoyed a

sound currency. And is it not evidently fallacious to anticipate now, in a time of profound peace and unexampled prosperity the same results which then flowed, not from the destruction of the old Bank, but from a desolating war, the suspension of commerce and universal embarrassment! We are often told of the alleged difference of exchange between the northern and southern states at that period, and it is attributed to the state Banks. The banks in the north which looked coldly upon the great contest and gave no aid or support to the Government, were enabled to maintain the payment of specie, while the more patriotic institutions ~~[illegible]~~ were compelled to stop. Their paper consequently depreciated, and that which is now so often spoken of as difference of exchange was in reality a difference in the value of the currency, which could never again arise but under similar circumstances.

And who believes that public opinion will ever maintain the Banks in any quarter of the union ~~[illegible]~~ in refusing to redeem their notes in a time of profound peace and general prosperity? No such result is to be anticipated. There will only be a difference of exchange which can never much exceed the cost of transporting specie and by arrangements among the Banks may be less.

It is frequently boasted that the Bank of the United States is largely beneficial to the country in effecting domestic exchanges at a low rate. There are two sorts of exchange business carried on by the Bank of the United States. The bona fide exchange in which the merchant or trader deposits his funds in one branch of the Bank and takes a check or draft on a distant branch near the spot where he wants to use them, or draws and sells to the Bank a draft on a fund

deposited to his credit in a distant branch or what he verily expects will be, is undoubtedly beneficial to the country. But that kind of exchange business which is carried on by drawing and redrawing to enable speculators to raise funds and men in desperate circumstances to sustain their credit, is a source of much mischief to the country. It is evident from developements heretofore made, that a large portion of the exchange business now done by the Bank of the United States is of this description. If that Bank should cease to exist, there is no reason to suppose that the bona fide exchange will not be carried on by arrangements among the state banks on terms nearly if not quite as favorable as it is now. That which is profitable to one great institution carried on through many branches, must also be profitable to small institutions that may take their places.

Merit is often claimed for the Bank of the United States, because it has faithfully transferred the public funds without loss to the Government. The transfer of the public funds is known to be a source of profit to the Bank instead of a burden, and the more distant the transfer the greater the profit. The exchange is always in favor of the cities where the revenues are principally collected, and bills drawn on those points in the distant south or west to transfer the public funds or for other purposes, are sold at a premium. At the same time the Bank has the use of an average public deposit of near nine millions, the employment of which at five per cent must yield about $450.000 per year. It would be bad management indeed, which should so completely dissipate this profit and all the means and stock of the Bank as to cause a loss to the Government of any portion of its deposit.

But the Government has once lost as a stockholder, if never as a depositor. On the seven millions of stock subscribed, it long paid the Bank an interest of five per cent, the subscription having been in five per cent stocks of the United States: and from January 1819 to July 1822 the Bank either declared no dividend or declared one less than five per cent, so that the amount paid to the Bank during that period exceeded the amount received from it about $822.500. The losses in the State Banks after the close of the war were remarkably small considering the amount collected by the Government during that period and the convulsion produced by the arduous contest in the business of the Banks and the country. No inference can be fairly drawn from them favorable to the United States Bank which has encountered no such difficulties, or unfavorable

to the State Banks in this policies) cause.

On the whole the President thinks the same advantages may be secured to the Government and community from the employment of the State Banks as from a Bank of the United States without any of the dangers. He sees no serious difficulty in transferring the public deposit at an early period from the one to the other, as the first step in an attempt to dispense with a national Bank. It is not the desire of the President that the deposit should be drawn suddenly so as to embarrass the operations of the Bank of the United States or create any shock in its relations with its debtors or the community. To make the desired change in as gentle a manner as possible, it may be expedient not to require any actual transfer of funds from the Bank

of the United States, but to leave the money now on deposit in that institution to be drawn out gradually by the usual Treasury warrants for the public service, and direct the future deposits to be made in the State Banks. This plan seems to be recommended by the double advantage, that it will give the State Banks time to select their places of operation before any call shall be made upon them, and leave to the Bank of the United States no cause to complain of the hardness of the Government. No just ground of hostility to the State Banks will be left to it, and if its affairs have been as well managed as has been represented, it will be under no necessity to make oppressive calls upon its debtors.

~~[illegible] the State Banks [illegible] by the Government [illegible] embarrass or destroy the State Banks employed by the Government [illegible] will be [illegible] adopted [illegible] Bank [illegible] to press.~~

In the accomplishment of the object in view there are some points which must be particularly regarded.

The safety of the public deposits in the State Banks employed must be secured beyond a doubt.

They must undertake to remit to any part of the United States and there pay in gold and silver or their equivalent, such portion of the public moneys received by them as may be required, without expense to the Government.

They must undertake to perform if required without compensation, any other duties or services which the Government may now lawfully require of the Bank of the United States.

They must agree to make reports of their business and condition to the Secretary of the Treasury at least once a month and as much oftener as he may require.

They must agree to subject themselves to a critical investigation of their affairs by the Secretary of the Treasury in person or by any agent duly authorised by him.

They must agree to pay any expenses which the Government may incur in making the new arrangement, or employing any agent, temporary or permanent, to look after that portion of the public

interest which may be entrusted to their care and management.

In fine the Government must be placed on a footing both in relation to convenience and expense, at least as favorable to its interests as that which now exists.

It will also be expected of the Banks which may be employed by the Government, that they will facilitate bona fide domestic exchanges for the interests of commerce and the convenience of the people, grant reasonable facilities to the payers of the public revenue, exercise the utmost liberality towards the other State Banks, and do nothing unnecessarily to embarrass the Bank of the United States.

The great object being to rid the country of the dangerous and irresponsible power necessarily concentrated in that Bank, care must be taken not to raise up another equally formidable. Perhaps such a result is impossible by any organization of the State Banks, as they are amenable to the State Governments on which they depend for their existence. But to prevent even an apprehension in the public mind of such a result it will be expedient to interfere with the Banks employed as little as possible and to require and exercise no other or further control over them than is absolutely necessary to secure the public deposits and insure a faithful performance of the duties incident to their transmission. If the Banks selected shall, jointly, or any one of them

separately to directed in using this power to favor one man or set of men and oppose another, or to accomplish any political purpose whatever, it is the determination of the President that they shall be no longer employed by the Government, so far as he has the power to prevent it. So far as the Government is concerned, they must confine themselves to collecting, safely keeping, and faithfully paying the public money whenever and wherever required. It is the President's desire, wholly and forever to separate the control of the currency from the political power of the country and from every question which may hereafter be agitated in the Congress of the United States. And he deems it equally important to take that control from an institution which is not responsible to the States or the people, and has already attempted, as it may again, to subject the Government to its will. As fearful as would be the commencing of a controlling power over the currency in the hands of the Executive, it is not more so than its concentration in a Bank which aspires to ~~make or break~~ direct the legislation of Congress. To obviate both dangers, he wishes to see the action of the general Government on this subject confined to the grant in the Constitution which only authorizes Congress "to coin money and

regulate the value thereof."

The President is sensible that his own ease and comfort, as well as the quiet of his administration, would be promoted, by leaving to others the whole subject of the Bank of the United States and the public deposits. But he deems it so important to the present and future interests of our country, to the purity of our Government and the liberties of the people, that he cannot permit any personal considerations to persuade him to silence or inaction. Had he no other motive to impel him, he should find a sufficient one in gratitude to the people, who, as he conceives, selected him to the exalted station he now holds, chiefly for the purpose of carrying into effect the principles of his veto message.

As the subject of this letter belongs principally to your department, the President has thought it proper to communicate to you in writing the course of policy appertaining to it which he desires to have pursued, as well to enable you thoroughly to understand it as to take upon himself the responsibility of a course which involves much private interest and public considerations of the greatest magnitude.

Andrew Jackson

Boston June 26th 1833

Washington
July 17th 1833

Sir,

I have received your letter of the 10th instant, and regret to find after a careful consideration of its contents; that the opinions intended to be conveyed by my letter and communication of the 26th ulto have either been greatly misapprehended, or have been associated, in the examination which the subject has received at your hands, with reflections that have no necessary connection with them.

A reply to some of the objections you have raised to the course I have recommended for your adoption, is therefore necessary to shield my conduct and motives from the unfavorable interpretation to which they might otherwise be exposed, and to which, I am

persuaded, you do not desire to subject them. This will be more intelligibly done, by first offering a few observations, explanatory of the sentiments which appear to have been misconceived, and, then, by stating succinctly what the measure was to which they were directed, and what were the circumstances under which it was suggested for your consideration and adoption.

The indispensable necessity of some agency for the safe keeping of the public moneys, whilst in a course of expenditure, and for their transmission from place to place according to the exigencies of the public service, beyond what can be derived from the fiscal Department of the Government as hitherto organized, has been recognized from the establishment of the Government to the present

day. During the existence of the old Bank of the United States, it was performed by that institution. When the charter of that institution expired and public sentiment forbade its renewal, this agency was committed to the State Banks, and for many years it was performed by them. Upon the incorporation of the present Bank it was transferred to, and has, for many years, been discharged by, it. Its charter is also soon to expire, and the duty of a reasonable provision for this important branch of the public service is thereby unavoidably pressed upon the early attention of the Government.

The establishment of such an agency, if a new one, cannot be the work of a day. To make it safe and effectual, time, care, and length of experience are necessary

In my former communication I stated

that the reasons in favor of providing a substitute before the expiration of the charter of the present Bank, if one at any time be contemplated, were too obvious to require elucidation. This opinion has not been gainsayed by you, nor directly contro-verted by any one. All subsequent reflection upon this point has but served to confirm this impression, and it really appears to me that nothing short of a design to give indirect aid to the application of the Bank for an extension of its charter, or to the incorporation of a new Bank, could induce the Government to fold its arms and wait the expiration of the present charter, and thus involve our affairs in the embarrassments which would unavoidably arise from the selection of a new agent on the spur of the occasion.

If this be correct, and I must continue

to affirm that it is, the interesting questions occur – what provision ought to be made – by whom should it be made –: and when should it be adopted?

Those who are in favor of either an extension of the charter of the present Bank, or the incorporation of a new one, will of course look to the adoption of one of those measures as the best and readiest mode of obviating all difficulty upon the subject. But from both of these resorts I am precluded by my declared opinions, and in this respect we are of one accord: and as our objections to both rest upon constitutional grounds, it becomes our duty in the performance of our several functions, to act upon the assumption that neither of those steps will be taken. What other course is then open to us?

In my messages to Congress I have several times brought to their notice such a reorganization of the Treasury Department as will afford to the Government all the facilities of the present Bank without exposing it and the country to its evils and dangers. But my suggestions on the subject have met with no favor from Congress: and it is due to candor to say, that the countenance they have received in public opinion, has not been such as to encourage the belief that they will be adopted. Under these circumstances I have brought my mind to the belief that the employment of the State Banks, if they will enter into reasonable terms, is the best, if not the only, practicable resort.

Being apprised of your dissent from this opinion, I felt it to be my duty to call upon you for an expose of any better plan which may have presented itself to your mind: and

I learn from you that you have not, as yet, been able to devise one which is satisfactory to yourself.

It remains only, therefore, for me to consider the objections you have raised to the course pointed out by me, as the only one which is open to us, according to our views of the constitution. It consists in a discontinuance of the deposits of the Government in the Bank of the U. States and the entering into arrangements with the State Banks for that purpose. I will consider your difficulties upon each branch of the subject.

The mere right to remove the deposits is not controverted, nor indeed could it be, for the charter of the Bank confers this power on the Secretary of the Treasury in terms as plain as the English Language can make them. But it appears to you that this is a power conferred on the Secretary to be exercised only in extreme cases like that of an "insurrection or a siege"; and

that to do it under less urgent circumstances would be an act of arbitrary and dictatorial power, every way unjustifiable. You cannot fail, I think, to be satisfied upon further reflection, that this is an overstrained, if not an unfounded view of the matter. The more especially when you find that in the conclusion of your letter, when pressed by the reflection that this power must have been given for some probable and reasonable purpose, you virtually admit that it might be justifiably exercised by the Secretary, to coerce the Bank into such a management of its affairs as the fact of its approaching dissolution, ought, in justice to the Government and country, to impose upon it. If justifiable from a mere prudential consideration like that, it would seem to me that it would be much more so when employed to secure an object

of much greater importance and upon the attainment of which must depend the successful prosecution of public affairs in almost all their branches, and without which the Government would be exposed to the greatest embarrassments.

You appear to have arrived at this course of reasoning by supposing the deposit of the public moneys in the Bank of the United States to be the result of a contract between the Government and the Bank by which that privilege is granted to the latter for a valuable consideration paid by it, and from which the Government cannot be discharged, otherwise, than by the same breach of trust or fraud as would be held sufficient to absolve an individual party to a contract entered into upon good consideration; and that the fact of delinquency on the part of the offending party should be ascertained and found in the same manner

by Judge and Jury, or at least with equal certainty. Now, Sir, it appears to me, with all respect, that this view of the subject is ente[illegible]neous. The stipulation of the charter that the Deposits should in the first instance be made in the Bank of the U States, does not, to my mind, contain a single feature of a contract. The charter secures to the Bank complete and sufficiently valuable rights and immunities independent of its being made the depository of the public moneys. That was never intended to be ranked amongst its chartered rights, but considered and so treated of, as a mere privilege, dependent upon the free will and pleasure of the Government. Can you figure to yourself the idea of a contract which one party has a right to put an end to at his own pleasure, without ever being under an obligation to assign his reasons, and certainly without

responsibility, to the aggrieved party? It is not in certain cases and upon certain conditions that the deposits may be withdrawn, but, if "the Secretary of the Treasury shall at any time otherwise order or direct". The Secretary it is true, is to assign his reasons: but to whom? In no sense to the Bank, unless indeed the error of identifying Congress with the Bank is fallen into, but to Congress - another Branch of the Government to which the right to know the reasons which have influenced that officer is secured for the purpose of guarding against an abuse of his power. The Bank has therefore no such right to the possession of the public funds as you have supposed, nor would any Congress have

was ventured to place them so far beyond the reach of the Government.

The question as to the discontinuance of the deposits, on the part of the Government, is one, therefore, of expediency merely, - dependent, so far as the Bank is concerned, upon the free will and pleasure of the Executive, save only that it is responsible to Congress for the motives which govern its acts. The only enquiry is, whether the object to be obtained, viz, a reasonable, safe, and practicable substitute for the Bank of the United States as the depository and distributor of the public funds, thro the agency of the

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and other considerations now existing. State Banks constitute an adequate and reasonable inducement for the exercise of a conceded power – a power reserved for the exclusive benefit and security of the Government. In the decision of this ~~question~~ no ideas of "vindictive justice or arbitrary dictation" are involved.

The action of the House of Representatives upon the subject constitutes also in your opinion a strong objection to the course which I have submitted for your consideration. You express a belief that you would "treat with contempt the decision of the last Congress" by its adoption, and seem to suppose that it is expected of you that you should "have faculties superior to those of Congress or hardihood that disregards their censure". These are expressions which have escaped in the warmth of a discussion carried on by you under honest but excited feelings; and

will, I am sure, be repelled by yourself upon a more dispassionate review of the subject. It would be doing injustice to both of us to deem it necessary to say, that I feel myself incapable of treating a component branch of the Government over which I have the honor to preside with contempt, or of desiring, or expecting, such a course on your part.

In my communication to you, it was my intention to place the proposed measure on grounds wholly independent of the decision of the House of Representatives, and I have to regret that it has not been my good fortune to make myself understood in this respect. Whether those grounds are tenable or not, is a question to be decided by ~~itself~~ the Crown, to which we are both responsible, and it is a perversion of them, tho certainly unintentional on your part, to assume that they necessarily conflict with that decision. Of that decision and of the circumstances under which it was made I have

spoken as I thought they deserve, but certainly not in a spirit of contempt, and you concur with me in regarding the investigation then made as inadequate. Beyond the admission in the report of the majority of the Committee upon which that decision was founded, that "in the arrangement made by the agent in England for the purchase of the three per cent stock and the detention of the certificates (which measures were subsequently disclaimed by the Bank) the institution exceeded its legitimate authority, and had no warrant in the correspondence of the Secretary ~~of the Treasury~~ of the Treasury" as the Bank most unjustly and untruly pretended, it related only to the safety of the public deposits in the Bank, so far as that depends upon the soundness of its capital and its ability to meet all demands upon it. It has been my object to satisfy you, that assuming all this to be so, there were still

sufficient grounds to justify and require a different disposition of the public deposits. Those grounds have been frankly stated and need not be here repeated. It is sufficient for the present purpose that they may be favorably decided upon without at all coming in conflict with the resolution of the House of Representatives.

The conduct of the Bank has not been referred to, for the purpose of impeaching the decision of the House, but of showing its unfitness to be employed as the agent of the Government on the score of its infidelity, and repelling all claim on the part of the institution to the favorable consideration of the Government in whatever arrangement the public interest may call for. And it gives me satisfaction to find from your declarations "that the Bank has forfeited all claims to favor", "that

it has put itself in the wrong, and that the stockholders have not manifested an inclination to inquire into the causes of complaint against the directors", in these respects at least we are ~~[illegible]~~ of the same opinion.

You entertain doubts as to your authority to enter into the proposed stipulations with the State Banks, and you do not believe that they will be willing to enter into the engagements which will be required of them. To the latter suggestion it is a sufficient reply to say, that my first object is inquiry only, and that if the State Banks refuse, there will be an end of the matter. The former suggestion is entitled to more considera-tion.

I did not suppose that any doubt could exist in regard to your authority to make an arrangement like the one proposed, for the

safe keeping and distribution of the public monies after they had once been removed from the Bank of the United States, subject of course to any different disposition of them, which might thereafter be made by Law: and you will observe that to avoid any embarrassment in the subsequent exercise of such authority by Congress a power is reserved by the proposed terms to the Secy. of the Treasury to make the arrangement with the State Banks at his pleasure. When the public moneys, by the order of the Secretary of the Treasury, shall cease to be deposited in the Bank of the United States, they will stand upon the same footing in respect to their safe keeping, as if the charter of the Bank had never been granted: and it appears to me that the authority given by Law to the Secretary of the Treasury to superintend the collection of the Revenue, and to the Treasurer to receive and keep the moneys

of the United States, clothes that Department with ample power to enter into the proposed stipulations, subject to the revision of ~~Congress~~ the Legislative power. But this is perhaps a question more properly belonging to the law officer of the Government who, I understand, entertains no doubt in regard to it.

But you object to the employment of the State Banks as unfit agents: and that objection would be equally applicable whether they are employed by the Treasury or upon the express authority of Congress. The reasons which induce me to favor the employment of the State Banks ~~[illegible]~~ have been fully stated, and will not be here repeated. Some of your objections, however, require, in justice to myself, a brief notice.

I cannot by any means concur in the opinion, that there is more danger to be

apprehended from losses by the state Banks now than there was during the war. The probabilities are in my judgement manifestly the other way. There perhaps never was a period in our history, since the adoption of the constitution, when the state Banks had greater difficulties to contend with than at the time you refer to, and there certainly never has been any, in which they stood upon a better footing than at present, or in which the prospect of their permanent success and stability was more cheering than it is at this moment, whatever may be the fate of the Bank of the United States. That losses were sustained from them is certain; but I think you must admit, that if the proposed arrangements are entered into, the prospect of the recurrence of any losses to the Government from that source will be but very slight, if any.

The system, if so it would be called, under which the Government then acted, was manifestly imperfect. Some risk must always be encountered in such affairs, and it is but seldom, if ever, that our hopes in regard to the success of public measures are fully realized. Whatever may have been the facilities derived to the Government from the establishment of the present Bank, we at least, cannot differ in the conclusion that they have been infinitely overbalanced by the evils it has engendered and the dangers which it threatens to the purity and stability of our otherwise enviable institutions, and that it would have been most happy for the country if it had never been resorted to.

The substitute I have proposed is indeed, like all human schemes as you say, but an experiment: but [illegible]

as I have heretofore stated to you, I have no doubt of its success, and I hope it will not be thought the less of because I have not assumed its success to be infallible. It is conceded that something must be done, and all new measures must of necessity partake, more or less, of the character of an experiment. It may fail, although I feel the strongest confidence that it will not: but how it can for one moment enter into the mind of a single unprejudiced man, to regard it as a party measure, I am utterly at a loss to conceive. In the proposed plan, the Government seek to employ such banks, and such only, as are of good credit and will do the business required of them with fidelity and despatch: and this selection will be made without the slightest respect to persons or parties: or at least you may rest assured that no ground for such imputation will

be burnished with my consent. What those who prefer to misrepresent the acts of the Government may say of it, we cannot help, and should not regard. If it should be the case that there is or should be found any party in the country which makes the maintenance of the Bank a point of orthodoxy, we cannot, on that account, be deterred from pursuing the only course open to us, according to our views of duty, by the apprehension of any such imputation. The adoption of such a course would have led to the abandonment of the policy of the administration in regard to the most important of our foreign relations, to Indian affairs, to Internal improvements, and of a series of other measures, the successful prosecution of which has drawn forth the approbation of our constituents to so cheering and gratifying

an content.

You urge very strongly that the establishment of the substitute ought to be left to Congress, and appear to think that "any proceeding now would seem to arise from an apprehension that the representatives of the people are incompetent or corrupt, and that the people themselves are incapable of preserving the institutions of their country in the event of a general depravity of their agents". If there was the slightest ground for such apprehension, there would indeed be ample cause for the adoption of a different course. But it appears to me, as I trust it will to you upon further reflection, that the radical error of this view of the matter is demonstrated by the answer that must be given to a single question. - Can Congress make any provision for the deposit of the public moneys until after

they have been removed from the Bank of the United States by order of the Secretary of the Treasury - and can they consistently with the charter be removed by any other authority? Certainly not. This was the reply given on the floor of the House of Representatives when an investigation was asked at the last session, and it would be renewed with increased force at the next. We may ask Congress for further investigation, and that, whether the deposits are removed or not; but it is now proposed to discontinue them in the Bank of the U. States upon grounds which by our own showing, require no further investigation; and instead of the construction which is apprehended from not going to Congress in the first instance, the more natural construction would be that

by asking their interposition we evince a disposition to throw on Congress the responsibility of an act which does not belong to them — the authority to perform which has been expressly delegated to a different branch of the Government. After you have exercised the authority vested in you by the charter, we may submit the arrangement to Congress for its revision; but until that is done, they cannot act in the matter.

Of the possible disposition and capacity of the Bank to give an injurious shock to public credit, and to cause embarrassment in private affairs I have spoken on a former occasion. I do not allow myself to be deterred from the performance of what I regard as a duty by these considerations, nor have I any apprehension that the adoption of

the course I have recommended is likely to produce a reaction in the public mind that may strengthen the efforts of the Bank to obtain a renewal of its charter. I understand, I think, the character of my countrymen too well to entertain any such fears. Putting out of view all the rest of the long catalogue of the misdeeds of that powerful and dangerous institution, save only the recorded evidence of its deliberate design to frustrate the measures of the Government for the payment of the public debt, its ungenerous attempt to throw the odium of its conduct in this respect from its own shoulders upon one of the Departments of the Government, and when this failed to palliate its acts by two unfounded pretences – the alleged

desire to afford facilities to the debtors of the Government which were never rendered — and to guard against the effects of a pestilence which had not yet appeared — taken in connection with a systematic design to deprive the Representatives of the Government of all influence at its board, and in many important particulars of all knowledge of the administration of its affairs — these facts alone, as long as they remain as they now stand, uncontroverted, and incontrovertible, will forever keep down such a reaction as that which you have anticipated. Be assured, Sir, that the people of the United States, instead of estimating the damages which have actually resulted from these high handed measures, or of regarding

them as requiring no further notice because some of them are no longer operative, will take a higher and a nobler view of their own duty and of the duties of their agents. — They will tremble for the character of their Government in the eyes of the world when they find it continuing its confidence in an institution which has so manifestly proved itself unworthy of public trust.

The danger is the other way. Look for a moment at the past and the probable course of the subject hereafter. The Bank, obviously for the purpose of extending its influence and strengthening its arm for the contest in regard to the renewal of its charter, increases ~~its discounts to the enormous amount~~ its ~~loans to the enormous amount~~ its loans to such

an enormous extent that in the short space of sixteen months $28.025.766 of additional debt to it is created. Thus armed it comes to the trial, and notwithstanding its immense powers, the Government and the people triumph over all its efforts - it is defeated - and the question of its continuance, so far as the voice of the people can settle it, is settled - the rapidly approaching expiration of its charter renders the early provision of a substitute for it as a Government agent desirable - it throws itself again before the country and menaces it with evils which are the consequence of the power it has abused. Suppose it successful - suppose the Government deterred from the exercise of its conceded authority and that preferring its ease and quiet to the performance of duty, it shall leave matters to remain

as they now stand until the actual expiration of the charter. What, allow me to ask you will be the state of things then? will not the same menaces be held out? will not the same danger be portrayed and the same appeals made to the cupidity of some and the fears of others? — and will not their force be immeasurably increased by the fact, that the Government will be found wholly unprepared for the change and at the mercy of the state Banks or whoever else it is driven to resort to for aid on the spur of the occasion? will not the temptations to a violation of the constitution by rechartering the Bank be a thousand fold increased, from what they would be, if, by a seasonable and steady exercise of its authority Government had prepared itself for

the currency, in the only way in which I have endeavored to show it has it in its power to do? Shall we be excusable, Sir, when that period arrives, for having left the Government in so defenceless a state? I fear not. I am therefore for pursuing the only course which I think promises success and safety. If its prosecution draws after it embarrassments (which it will not do, if there has not been, and is not hereafter gross mismanagement on the part of the Bank) we cannot help it. Controversies which cannot be avoided with credit, are always best dealt with by bold and manly encounter at the threshold.

You may rely upon it, Sir, that our fellow citizens would suffer more pain

from seeing their Government thus overawed by a creature of its own making than they would experience aught at any consequences that can possibly flow from the proposed measure. So far as it depends upon me, they shall never be exposed to such humiliation. To say that we condemn the conduct of the Bank and are opposed to a renewal of its charter, is doing but little to prevent this ~~favoring~~ and reckless institution from ultimately succeeding in its efforts. This can only be effectually done by the timely adoption of a substitute which will enable us to satisfy the people that we can do without a Bank of the United States.

Let us then do our duty: The people will do theirs. They have never yet failed to support me. when in the line of my duty,

and I do not doubt their approbation in the performance of it in the present instance.

You are mistaken in supposing that I desire you to adopt my reasons, instead of your own, for the decision which you may make on the subject. All that was intended by me in this respect was to leave it for you to decide, how far my declared opinion as to the policy which the Government ought to pursue, ought, as being the person more immediately responsible to the people for the administration of the Executive branch, to influence your course on a doubtful point: and that whatever of weight you should think proper to give to it you might be at liberty to avow it as well as the reasons upon which it is founded. I did not then, nor do I now, think it necessary to anticipate the inconveniences that may result from a material difference of opinion between the President and the Head of a Department on a subject of policy deemed vitally important and which in most of its operations is placed under the immediate superintendence of that officer.

The circumstance of your differing in

opinion from me and the failure to communicate your views at an earlier period required no apology. That I am disappointed in the result, I frankly confess to you: for, as I knew that we agreed so well in our general opinions in regard to the Bank, I did not, I admit, apprehend so serious a difference of opinion in the details of our respective duties. Contenting myself with informing you before you entered upon office, on two occasions, that the question of a removal of the deposits was under consideration in my cabinet; that I had asked their opinions in regard to it respectively: and not apprehending that you would understand me as referring to an appeal to Congress on the subject, I thought it would be more delicate and respectful to yourself to avoid

any thing like a previous stipulation in relation to the manner in which your official duties should be performed. Not having required explanations from you I do not complain that you did not tender them in advance. I reciprocate most sincerely and cordially the assurances you make to me of continued respect and attachment. Although I owe it to candor to say, that I have been led by the tenor of your letter to fear, that you have suffered erroneous impressions to exercise an undue influence over your feelings, I have seen nothing which in the slightest degree weakens that unqualified confidence which I have heretofore placed in your integrity and honor.

37

Your call to my cabinet was wholly unsolicited on your part. I will not conceal from you the satisfaction I derived from the reflection, that it might serve to elevate in the estimation of the country, a name, which, though in an humbler sphere, had been conspicuous in the early struggles for those political principles which it has always been my desire to cherish and support. I yet owe it to truth to say that your selection was only regarded by me as a tribute justly due to the opinion I had formed of your talents and character. That it may prove a source of gratification to yourself and usefulness

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to our common country, is the sincere prayer of your friend

and obt. Sert

Andrew Jackson

Honble

Wm. J. Duane

Secy. of the Treasury.

Washington July 22d. 1833

My dear Sir,

I cannot perceive the propriety of the concluding paragraph in the draft of instructions, proposed to the agent of inquiry, which you have submitted to me this morning: unless you are determined not to acquiesce in the decision which the President, on advisement with his Cabinet, may make after a full view of all the circumstances of the case. You may not be aware that such is the construction which the paragraph authorises; and that it is manifestly at variance with the views which render the inquiry expedient.

The great object to be attained by the inquiry is to ascertain whether the State Banks will agree to become the agent of the Government, on the terms proposed, for the safe keeping - - -

and transmission of the public moneys. If they will, the ground taken by the President, should circumstances remain as they now are is, that it will be then expedient and just to resort to them as a substitute for the Bank of the U States as a fiscal agent. But lest in the course of the enquiry something might arise which would justify a different conclusion, it was deemed best by us, at our last interview, that there should be no committment beyond the enquiry at this time, as to the action of the Government in regard to the change of deposits; and that on the latter point a decision should be postponed

until the report of the agent should be received, when there would be a full consideration of the conduct of the Bank and of all the matters connected with the substitution of another fiscal agent.

Previously to enquiry, however, you declare that nothing has yet occurred to render necessary the movement anticipated by it: and thus leave me to infer that should the enquiry establish the competency of the State Banks to perform the agency proposed to them, you will not feel yourself at liberty to carry into effect the decision, transferring the public deposits to them, which the President on advisement with his cabinet, may make.

Please inform me whether I am correct in supposing that this is your determination. If I am it will then become my duty, in frankness and candor, to suggest the course which will be necessary on my part.

I am very respectfully
Y. obt. Servt.
Andrew Jackson

Honble
Wm. J. Duane
Secy. of the Treasury

Washington
July 23d 1833

Dr Sir,

I have received your note in reply to the observations which I felt myself obliged to make in regard to the concluding paragraph of the instructions proposed to be given to the agent of the Treasury. It is entirely satisfactory, and manifests a spirit which I trust will enable us, before the time arrives for acting upon the report of the agent, to agree as nearly as may be desirable in the decision which may be made on the subject.

I return you herewith the draft of the instructions with some notes suggesting a few changes which you will doubtless

see no impropriety in adapting. leaving out
the last paragraph.

I am very respectfully
& truly yr ovt

Andrew Jackson

Honble
Wm. J. Duane
Secy. of the Treasury

Honble

Wm. J. Duane

Secy. of the Treasury

Washington September 21st 1833

Sir:

After you retired I opened and read the paper you handed me. I herewith return it as a communication which I cannot consent to receive.

Having invited the free and full communication of all your views before I made up a final opinion on the subject, I cannot consent to enter into further discussion of the question. There are numerous imputations in the letter which cannot with propriety be allowed to enter into a correspondence between the President and one of the Heads of Departments

In your letter of July last you remark "but, if, after receiving the information and hearing "the discussion, I shall not consider it my duty, "as the responsible agent of the law to carry into "effect the decision that you then make, I will

" from respect to you and for myself afford you an
" opportunity to select a successor whose views may
" accord with your own on the important matter
" in contemplation". My communication to my
cabinet was made under this assurance received
from you: and I have not requested you to perform
any thing which your sense of duty did not
sanction. I have merely wished to be inform
whether, as Secretary of the Treasury, you can
consistently with your opinion on the subject of
the deposits, adopt such measures in relation to
them, as in my view, the public interests a
a due execution of the laws render proper.
If you will now communicate this informati
it will confer an obligation on

Y. obt. sert

Andrew Jack

Honble. Wm. J. Duane
[illegible] Treasury

William J. Duane Esqr
Secretary of the
Treasury —

Regimental Orders

Commencing

23rd of April 1800. and Ending

31st of December 1801.

Robert Butler

In the year of our Lord

Orders South West Point April 23rd 1800.

A Garrison Court Martial to consist of three Officers is ordered to assemble at ten OClock for the trial of the Prisoners in confinement an Orderly Sergeant to attend. Lieut. Jones will do the duty of Judge Advocate.

Sign'd William Peters
Major Commd'g.

Orders South West Point April 24th 1800.

In conformity to the orders of Major William Peters, a Garrison Court Martial convened on the 23rd instant whereat Lieut. Bowman presided and after being duly sworn proceeded to the trial of the following Prisoners. viz.

Sergeant Miller of Capt. Purdys Company charged with "Getting drunk when ordered after David Rankins who was absent without leave". To the charge the Prisoner pleads not guilty.

Corporal Hall of Capt. Purdys Company charged with "Getting drunk when ordered after David Rankin who was absent without leave, and with Suffering Pape & Battershall to get drunk when under his command. The Prisoner pleads guilty.

David Rankins of Capt. Purdys Company charged with "absenting himself from South West Point without leave and lying out of his Quarters on the evening of the 21st Instant". The Prisoner pleads guilty.

John Hassel of the late Capt. Thomsons Company, charged with "Absenting himself from the Garrison without leave and lying out of his quarters on the night of the 21st Instant. The Prisoner pleads guilty. —

William Johnston of the

late Captain Thomsons Company charged with being absent from retreat beating on the 20th of April 1800. — The Prisoner pleads guilty.

James Lowry of the Artillery charged with "being absent from roll call on the evening of the 22nd. of April 1800. — the Prisoner pleads guilty. —

The Court after hearing the evidence are of opinion that Sergeant Miller is not guilty, therefore acquit him. — That Corporal Hale is guilty and do sentence him under the 5th Article of the 13th Section of the rules & Articles of War to be reduced to a private Sentinel. —

That David Rankins is guilty and Sentence him to receive fifty lashes.

That John Hassel is guilty and do sentence him under the 2nd Article of the 13th Section of the rules & Articles of War to receive 50 Lashes.

That William Johnston is guilty and Sentence him under the 4th Article of the 13th Section of the rules & Articles of War to receive 25 lashes.

The Commanding Officer approves of the foregoing Sentences of the Court Martial whereat Lieut. Bowman presided and orders the punishments to take place at this evening roll call. The Court is dissolved. —

Signed William Peters
Major Commg.

Orders

South West Point April 26th. 1800.

A Garrison Court martial will convene at 10. O'Clock for the trial of such Prisoners as may be brought before them, one Captain and two Subalterns to form the Court — an

Orderly Sergeant to attend. Sign'd William Peters
Major Comm^dg

Orders. South West Point April 28th. 1800.

In conformity to the order of Major William Peters, a Garrison Court martial convened on the 26th. Instant, and after being duly sworn proceeded to the trial of William Burke of the late Capt. Thomson's Company charged with "Being drunk on duty on the 24th of April 1800." To the charge the prisoner pleads not guilty. The Court after considering the evidence adduced are of opinion that the Prisoner is guilty and do Sentence him under the 5th Article of the 18th Section of the rules & Articles of War to receive twenty five Lashes. —

The Sentence of the Court is approved of, and the punishment directed to take place at this evening roll call after which the Prisoner will be returned to the Guard house —

The Court is dissolved. - Signed - William Peters
Major Comm^dg

Orders. South West Point April 28th. 1800.

Lieut. Charles Wright of the 3rd. Regiment having sent in his resignation the Commanding Officer is apprized by letter from Major General Pinckney that the same is accepted of.

The Pay master of the 4th Regiment is directed to settle with Mr. Wright to include the last of the Present, after which his Pay & Emoluments will cease.

Signed - William Peters
Major Comm^dg

Orders.

South West Point April 30th 1800

Capt. Lockwood will muster & inspect the Troops at this post for the present month tomorrow morning at 7 o'clock, Officers commanding Companies will prepare their Inspection returns which are to be handed to Capt. Lockwood who will inspect the Troops agreeably to General orders, on Monday the 5th of May at such time as the Commanding Officer will hereafter direct. —

Sign'd William Peters
Major Comm'g

Morning Orders

South West Point May 1st 1800.

In consequence of the rain the muster is postponed untill further orders.

Sign'd Wm Peters
Major Comm'g

Orders.

South West Point May 3rd 1800.

A Garrison Court martial to consist of three Members will convene at ten o'clock for the trial of such Prisoners as may be brought before them. An orderly to attend

Signd Wm Peters
Major Comm'g

Agreeably to the orders of this day a Garrison Court Martial convened whereat Capt. Purdy presided and proceeded to the trial of John Grimes of the late Capt. Thomsons Company charged with "getting drunk, & disorderly conduct when on pass". The prisoner pleads guilty. —

The Court after mature deliberation are of opinion that the Prisoner is guilty and do sentence him

under the 5th Article of the 13th Section of the rules & Articles of war to receive 50 Lashes.

The Commanding Officer approves of the foregoing Sentence and directs the punishment to take place at this evening roll call after which the Prisoner is to be returned to the Guard house. The Court is dissolved.

Signed William Peters
Major Commd.g

Orders South West Point May 7th 1800

James Noland a private in Capt. Balls Troop of Dragoons is appointed Corporal in the same and is to be respected & obeyed accordingly. His promotion is to take place from the 1st Instant

Signed William Peters
Major Commd.g

Orders South West Point May 10th. 1800.

A Garrison Court Martial to consist of three members will assemble this day at ten oClock at the Presidents Quarters, for the trial of such Prisoners as may be brought before them.

An orderly to attend. Signed William Peters
Major Commd.g

Orders South West Point May 11th. 1800.

In conformity to an order of Major William Peters a Garrison Court Martial whereat Lieut. Bowman presided, convened, and after being duly sworn proceeded to the trial of the following Prisoners to wit. Sergeant Miller of Capt. Purdys Company charged with "Disobedience of orders on

the 9th. Instant". To the charge the Prisoner pleads guilty.

William Little of the late Capt. Thomson's Company charged with "Being drunk on guard on the night of the 7th Instant." To the charge the Prisoner pleads guilty.

Conrod Rook of the Artillery, charged with "Being absent from roll call on the evening of the 5th Instant." To the charge the Prisoner pleads guilty —

The Court are of opinion that Sergeant Miller is guilty of the charge exhibited against him, and under the 5th Article of the 18th Section of rules & Articles of War do Sentence him to be reduced to a private Sentinel.

That William Little is guilty and do Sentence him under the 5th Article of the 13th Section of the rules & Articles of War to receive 100 lashes. And that Conrod Rook is guilty, and Sentence him under the 4th Article of the 13th Section to receive 35 lashes.

The foregoing Sentences of the Court are approved of and the punishment directed to take place at this evening roll call, after which, the prisoners (except Miller) will be returned to the Guard house.

The Court is dissolved.

Signed William Peters
Major Comm'dg

Orders

South West Point May 13th. 1800.

A Garrison Court Martial to consist of three Members will convene this day at ten O'Clock at the Presidents quarters for the trial of such Prisoners as may be brought before

them. An orderly Sergeant to attend the Court. —

Signed William Peters
Major Comm^dg

In conformity to an order of Major William Peters a Garrison Court Martial convened whereat Captn Purdy presided and after being duly sworn proceeded to the trial of the following Prisoners. vizt —

Corporal Smith of the Artillery charged with "being absent from Roll call" To the charge the Prisoner pleads guilty of being absent from roll call, but that he reported to Sergeant Stewart that he was sick, an hour before.

John McPherson of Captn Lockwood's Company charged with leaving the Garrison and going to the Station without leave on the 12th of May 1800. To the charge the Prisoner pleads guilty. —

The Court after mature deliberation, are of opinion that Corporal Smith is guilty and do sentence him under Section 15th Article 4th of the rules & Articles of War to be reduced to a Private Sentinel

That John McPherson is guilty and do Sentence him under Section 15 Article 1st to receive fifty Lashes.

The Commanding Officer approves of the foregoing sentences of the Court, and directs the punishment to be inflicted at this evening roll call, after which McPherson is to be returned to the Guard house. The Court is dissolved

Signed William Peters
Major Comm^dg

South West Point May 16. 1800

Orders.

The Commandant having examined with attention the orders of Major William Peters from the 3rd of October last to the 15th Instant, approves & confirms the same. He also takes pleasure in expressing the satisfaction which he feels on resuming his command in Tennessee, and meeting with the Gentlemen Officers & Troops whom he has so long had the honor to command, yet he cannot help observing that his satisfaction would have been much heightened, had he found the Orderly Books less chequered with crimes & Punishments, as these records leave a stain on a corps which is difficult to eradicate.—

The Commandant requests Major Peters, the Gentlemen Officers, and the Troops of his command in general, to accept his thanks for their exertions in forwarding the public works at this and the several Posts within his command.

A General Court Martial will convene tomorrow at 10 O'Clock for the trial of John Wilkey of the 4th regiment now in confinement for desertion; the Court to consist of five Members, the Senior to preside—

An orderly Sergeant to attend the Court.

On the report of Major Peters the Commandant is induced to order Burke, Andrews, Hassel, Barret, Grimes and Little of the late Thomsons Company, Rook & Lowry of the Artillery, and McPherson of Capt. Lockwoods Co. who have been confined agreeably to the penitentiary

order of Major General Hamilton; to be released this afternoon at retreat beating; the Commandant expects their conduct will sanction their releasement. —

Signed Thomas Butler
Lieut. Col. Comm^dg

Orders.

S^o. West. Point May 21st. 1800.

A Garrison Court Martial to consist of three Members will convene at nine O'Clock for the trial of such Prisoners as may be brought before them. An orderly Sergeant to attend the Court.

Signed William Peters
Major Comm^dg

Orders

South West Point May 23rd 1800.

At a Garrison Court Martial held on the 21st inst. whereat Capt. Lockwood presided, was tried the following Prisoners. ~~to wit~~.

Serg^t. Ellinger of Capt. Lockwoods Company charged with "drunkenness and improper conduct, on the 17th Instant". To the charge the Prisoner pleads guilty.

The Court are of opinion that the Prisoner is guilty and under the 5th Article of the 18th Section of the rules and Articles of War, do sentence him to be reduced to a Private Sentinel. —

Samuel Jones of the Artillery, charged with "being absent from roll call on the evening of the 18th Instant". To the charge the Prisoner pleads guilty.

The

The Court find the Prisoner Jones guilty of the charge, and under the 4th Article of the 13th Section of the rules & Articles of War, do sentence him to receive 50 lashes. —

The Commandant approves and confirms the above Sentences and orders them to be put in execution at retreat beating this evening &c. — Signed

Thomas Butler
Lieut. Col. Commd.g

Orders.

South West Point May 28th. 1800.

Agreeably to the orders of the President of the United States the 4th Regiment has been completed to the peace establishment out of parts of the 1st. 2nd & 3rd regiments serving in Georgia The transfer of these Troops to the 4th regiment has created a Surplus of Non Commissioned Staff Officers.

Sergeant Major John Easton is therefore transfer'd to Captain Peter Graysons Company, where he is to perform the duties of first Sergeant. he is to be held on the rolls of that Company from the 1st. Instant. The necessity of the case is the only cause why the Commandt. has made the transfer, and he takes a pleasure in publicly expressing his approbation of Sergt. Major John Eastons general conduct. —

From the same cause Quarter Master Sergeant Andrew Welsh is to be mustered in Capt. Lockwoods Company as a Sergeant from the 1st. Instant, his conduct also merits my approbation and confidence. He is to continue on the duty he is now employed at, untill further

orders. William Cassady & Angus Bowye are transferr'd to Captain Graysons Company and are to be held on the rolls from the 1st Instant. Joseph Kenny is transferr'd to Capt. Purdys Company and is to be held on the rolls from the 1st Instant also. —

The late Thomsons Company is to be mustered and reported in future as Captain Graysons. —

The Troops at this Post and that of Fellico are to hold themselves in readiness to be mustered on the 31st. Inst. at three OClock P.M. The Inspection is to take place at the before mentioned Posts on the 2nd. of June at Eleven OClock AM. Major Peter to muster and inspect the troops at this post. Capt. Butler those at Fellico agreeably to this order, should no Inspector previously arrive, or General order directing otherwise. —

Signed Thomas Butler
Lieut. Col. Comm.d

After Orders

IN future when applications are made by Commanding Officers of Companies for the promotion or appointment of Non Commissioned Officers in their respective Companies, it must be in writing noting in a circumstantial manner the Character & conduct of the person for whom the application is made.

Signed

Thomas Butler
Lieut. Col. Comm.d

Order

South West Point May 30th 1800.

Kirk, Price, Barnet, McGrew and Hassel are to be placed under the care of a Non Commissioned Officer (who is to be daily warned for the purpose) and employed at such labour as the Quarter Master may direct, they are to be returned to the Guard house at all hours when the fatigues are called off Work. this order to be in force until otherwise ordered.

Sign'd Thomas Butler
Lieut. Col. Comm.g

Order

South West Point June 2nd 1800.

Lieut. Joseph Bowman of the 4th Regiment having been called upon by Capt. Ball to attend at Harpers ferry (in the State of Virginia) as an evidence in support of the charges exhibited against Lieut. Stephen G. Simmons of the First Troop of Cavalry — The Staff duty which Lieut. Bowman has to perform, and the scarcity of Officers with the Regiment renders the personal attendance of Lieut. Bowman at Harpers Ferry, inadmissible without manifest injury to the Service. Lieut. Thomas Swaine acting as Judge Advocate P.T. to the Troops in Tennessee, is directed to take and record such evidence as the said Lieutenant Joseph Bowman may have to offer in the case of Lieut. Simmons, that the Commanding General may be enabled to give such further orders as he may deem necessary.

Sign'd

Thomas Butler
Lieut. Col. Comm.g
4th Regiment.

Orders

South West Point June 3rd 1800.

Lieutenant Wallington of the 4th Regiment is to take command of the 1st Troop of Dragoons untile further orders. Captain Ball will deliver to Lieut. Wallington such papers relative to the Troop as may be proper. He is to remove to the Dragoon Barracks.

Signed
Thomas Butler
Lieut. Colo. 4th regt.

Orders

South West Point June 5th. 1800.

In conformity with Major General Hamiltons orders Capt. Richard Sparks' Company of the 3rd Regiment is transfer'd to the 4th regiment. The non Commissioned Officers & Privates as specified on the following list, are to join the companies therein mentioned and are to be transfer'd from the 3rd Regiment on the 1st Instant. — Sergeant O'Donald is to march those of Capt. Butlers to Fellers tomorrow morning. The residue of Capt. Sparks Compy. are to be returned as belonging to the 4th regiment, and remain under Lieut. Haines's command untill further orders, and are to occupy ~~the~~ one room and parade at all times together

Any men transfer'd to Capt. Butlers Company that are on duty are to be immediately relieved. A regular statement of the Arms and Clothing of the men transfer'd are to be

furnished by the Officer Commanding the late Company.

Signed Thomas Butler
Lieut. Coll. Comm.g

Capt. Butlers ----	Sergeant	O'Donald
	Corporal	Phillips
	Corporal	Turrell
	Privates	Davis
		Eddington
		Manly
		Henry
		Clark
Captn. Graysons ----		Finley
		Brashiers
		Hamilton
		Hobbs
		Hill
		Allard
		Butler
		Morrill
		Laurence
Capt. Faylors ----		Swails
		Barcly
Capt. Purdys .	Sergiant	Peyton
	Privates	Preston
		Nugent
		Reader
		Miller
		Lewis

Orders

South West Point June 7th 1800.

Bladen Craycroft and John Willey privates in Capt. Graysons Company having been recommended by Lieut. Joseph Bowman as worthy of being promoted to Corporals in said Company, in the words following. — "They are both men of Sobriety and well acquainted with their duty, and since I have had the honor to command the Company have conducted themselves with the greatest propriety as Soldiers. In consequence of the above recommendation the Commdt. thinks proper to appoint Bladen Craycroft and John Willey Corporals in said Company, and orders that they be respected and obeyed as such and be mustered from the 1st instant. —

Cleanliness being conducive to health the Officers are directed to cause the rooms and Bunks of their respective Companies to be well washed & cleansed at least once a week untill the 1st of October next, unless otherwise ordered — At all times of cleansing the rooms, the mens Knapsacks & every other kind of Baggage must be taken out & placed in a Situation out-side of the Garrison under the care of a Sentinel from the Company; By so doing the Company Officers will have it in their power to inspect, and prevent useless lumber from being hoarded up in the mens rooms. —

The Commandant forbids the practice of shaking blankets in the Garrison, and directs that they be taken, in future, outside of the Artificers Shops, or to such places outside of the works

as the Officers may direct.

The number and names of each Officers Waiters are to be handed to the Adjutant tomorrow before Troop beating who is to make out a list of the whole and lay it before the Commandr. —

The Adjutant is directed to keep a Register of all the Appointments of Non Commissioned Officers recording the recommendation of the Officers with the same.

Sign'd
Thomas Butler
Lieut. Colo Comd'g.

Orders

South West Point June 11th 1800.

A Garrison Court Martial is ordered to convene this day at eleven O'Clock for the trial of William Eddington of Capt. Butlers Company. — The Court to consist of three Officers — the Senior to Preside. —
An orderly Sergeant to attend the Court. —

Sign'd
Thomas Butler
Lieut. Colo 4th regiment
Comm'dg

In conformity to the foregoing Order a Garrison Court Martial convened whereat Lieut. Hanes presided and after being sworn proceeded to the trial of William Eddington of Capt. Butlers Company charged with "stealing Sergeant Hindmans Watch on the night of the 2nd Instant." To the charge the Prisoner pleads not guilty:

The Court after a mature deliberation find the Prisoner William Coddington guilty of the charge exhibited against him and do Sentence him to receive 75 lashes. —

The Commandant approves & confirms the sentence and orders the punishment to be inflicted at retreat beating this afternoon. Signed Thomas Butler
Lieut. Colo. Comm'g.

Orders. South West Point June 16th. 1800.

A Garrison Court Martial is ordered to convene tomorrow at ten O'Clock for the trial of Ruel Wilson a Soldier of Captain Purdy's Company — the Court to consist of One Captain and two Subalterns. An orderly Sergeant to attend. Signed Thomas Butler
Lieut. Colo. Comm'g.

Orders. South West Point June 21st. 1800.

The Court Martial ordered on the 16th. Instant is directed to convene at ten O'Clock this day, and proceed to try Reuel Wilson, John McPherson, Angus Bourge and Thomas Barnet Soldiers of the 1st. Battalion of the 4th. Regiment. Signed Thomas Butler
Lieut. Colo. Comm'g.

After Orders. It is with much concern that the Commandant feels himself under the necessity of observing

that the Officers commanding Companies have suffered many of their men to dismantle their Arms of the Swivels. This practice has unquestionably taken place in order to save the trouble of cleaning them. The Commandant therefore directs that at the last Sundays Inspection of every month, the Captains or Officers commanding Companies, shall report in writing to the Quarter Master the names of each man, with the most minute deficiency that may have taken place in his Arms, the Quarter Master is directed to digest them into a general return for the inspection of the Commanding Officer in order that Stoppages may be made, which will be as follows. towit—

For each Swivel & Screw .... 25 Cents
For each Side pin or any other Screw of the lock .... 12½ Cents

And for any other damage, such sum as a Court of Enquiry may direct.

Signed Thomas Butler
Lieut. Col. Comm.g

Orders South West Point, June 23rd 1800.

By order of the Lieut. Colonel Commandant of the 21st Instant, a Garrison Court Martial convened whereat Capt. Lockwood presided, and after being sworn proceeded to the trial of the following Prisoners. viz—

Ruel Wilson of Capt. Purdys Company charged with "Falsely complaining to the Commandant that

he had been ill treated, and that he had reported the same to Capt. Purdy, and he had taken no notice of it; and afterwards falsely asserting to Capt. Purdy, when he enquired what business he had with the Colonel, that he had been applying for back Clothing".

To which charge the Prisoner pleads guilty of falsely asserting to Capt. Purdy, that he had been applying for back Clothing, but not guilty of falsely complaining as stated in the first part of the Charge.

The Court after hearing & maturely considering the evidence, are of opinion, that the prisoner Wilson is guilty of the charge as stated, and under the 5th Article of the 18th Section of the rules & Articles of War, do sentence him to receive Seventy five Lashes. —

— Thomas Barnet of Capt. Graysons Company charged with "Absenting himself from the Garrison without leave on the 19th Instant". To the charge the Prisoner pleads not guilty. —

The Court are of opinion that the Prisoner is guilty of the charge and under the 2nd Article of the 6th Section of the rules & Articles of War do sentence him to receive One hundred Lashes. —

John McPherson of Capt. Lockwoods Company and Angus Bowye of Capt. Graysons Company charged with "Absenting themselves from the Garrison without leave on the night of the 19th Instant". To the charge the Prisoners plead guilty. —

The Court are of opinion that the prisoners are guilty of the charge, and under the 2nd Article of the 6th Section of the rules & Articles of War, do sentence each of them to receive One hundred lashes. —

The Commandant having examined the proceedings the proceedings of the Court Martial which sat on the 21st Instant, for the trial of Ruel Wilson, Thomas Barret, John McPherson and Angus Bourge soldiers in the 4th regiment, approves & confirms the sentences on the three latter, and orders the punishment to be inflicted this afternoon at retreat beating; but disapproves the sentence of the Court on Ruel Wilson, as a part of the charges appears to have been irregularly stated, and some of the evidences have given it in Testimony, that they never knew Sergeant McNaugtaton to ill treat Wilson when he (the said Wilson) did not deserve it, which was judging for the Court. The Commandant therefore orders a Court of Enquiry to sit immediately, consisting of three Officers, of which Major Peters is to preside, to examine into the complaint of the said Wilson, against Sergeant McNaughton, and report the proceeding to the Commandt.

The Court is also directed to examine the case of Lowry of Captain Taylors Company, as to the fairness of his enlistment; the Court will also examine into the mental qualification of the said Lowry, and report their opinion. They will call upon the Doctor to be present when that part of the examination is before them, whose opinion

is also to be given with the Court.

Signed

Thomas Butler
Lieut. Colonel

Orders.

South West Point June 28th. 1800.

A Garrison Court Martial is directed to assemble imme=diately for the trial of Sergeant Case- Francis Casey & William Collins. One Captain & two Subalterns to form the Court— An orderly to attend. — Signed

William Peters
Major Comm'g.

Orders. South West Point June 30th 1800

In conformity to an order of Major William Peters a Garrison Court Martial convened on the 28th Instant whereat Capt. Purdy Presided, and after being duly sworn proceeded to the trial of the following Prisoners. —

Sergeant Wayne Case of Capt. Graysons Company, charged with "Improper Speculation on the Soldiers, and with selling liquor to them without leave of their officers." — Specification- "Purchasing Whiskey on permission, at the Store and selling it to the soldiers at an exorbitant price" To the charge the Prisoner pleads not guilty. ——

The Court after mature deliberation find the Prisoner Sergeant Wayne Case guilty of the charge as exhibited against him. and do sentence him under the 5th. Article of the 18th Section of the rules & Articles of War, to be reduced to a Private Sentinel and receive 50 lashes. —

Francis Casey of Capt. Graysons Company charged with "Being drunk and absent from Roll call on the evening of the 27th Instant." The Prisoner Pleads not guilty.—

The Court after mature deliberation find the Prisoner Francis Casey guilty of the charge as exhibited against him, and do sentence him under the 4th Article of the 13th Section of the rules & Articles of War to receive seventy five lashes.—

William Collins of Captain Lockwoods Company charged with "Being out of the Garrison after Tattoo, and breaking into Doctor Davis's Stable on the night of the 21st of June 1800." To the charge the Prisoner Pleads not guilty. The Court after mature deliberation find the Prisoner William Collins guilty of the charge as exhibited against him, and do sentence him under the 2nd Article of the 6th Section & the 5th Article of the 18th Section of the rules & Articles of War to receive 75 lashes.

The Commandant approves the foregoing sentences and orders them to be put in execution this evening at retreat beating, except the Corporal punishment of Wayne Case which he thinks proper to remit; at the same time the Commdt. is sensible that the Conduct of Wayne Case has been disgraceful and deserving of the most exemplary punishment, & nothing but the respect which the Commdt. wishes to preserve to the non Commissioned Officers of his regiment could have induced him to remit the punishment.—Signd—

Thomas Butler
Lieut. Col. Commdg.

The Troops at this post and its dependencies are to hold themselves in readiness for muster & inspection tomorrow morning - those at this post at 6 OClock - the Cavalry & Capt. Taylors Company at such hour as Major Peters may direct, who is to muster & Inspect them.

That practice of going into the river in the heat of the day is a bad one & injurious to health, the Commandant therefore positively forbids any Non Commissiond Officer, Musician or private going into the Water more than once a week, and then with the permission of his Officer. - Waiters are comprehended in this order. —

Sign'd Thomas Butler
Lieut. Col. Comm.g

Orders. South West Point July 1st 1800.

The Artillerists are to be taken off daily duty this afternoon untile further orders, and the Officer Commanding the same is directed to cause two 3 Pounders with their implements to be put in readiness to celebrate the 4th of July.

The Quarter Master will furnish the materials for making eighty rounds of blank Cartridges which are also to be in perfect readiness. Sign'd Thomas Butler
Lieut. Col. Comm.g

Orders South West Point July 3rd 1800.

The Adjutant will direct the Music to commence beating the Reveille at half-past three OClock on the morning of the 4th and to cease at a quarter before four. At the

close of the Reville he is also to direct the Assembly to be beat, at which time the Troops are to fall in on their respective Company parades, and wait the orders of Majr. Peters, who will direct where the Battalion is to be formed - At the beating of the Assembly the Cavalry are to mount and parade on the ground between the Well and Garrison - The Officer will receive further orders from Majr. Peters where to take his position when the Battalion moves. The Officer commanding the Artillery will also receive his orders from Major Peters. The Troops to move precisely at four O'Clock and form on the ground pointed out by the Commttee.

Disposition { One piece of Ordnance to be placed on each flank of the Battalion, six paces in advance of the line - The Cavalry divided on the right & left of the whole, leaving a sufficient Space on each flank for the Artillery, dressing at the same time with the Infantry. The Troops being thus formed, Major Peters will direct the Salute of the day to be fired, commencing with the Gun on the right, that on the left is not to be fired untill the one on the right is charged, and so alternately untill the Salute is fired. When the Officer receives orders to fire the Gun on the right, the flag is to be hoisted, Music playing the Presidents March - When the Salute is over Major Peters is to conduct the Troops back and dismiss them.

One Sergeant, One Corporal & twelve Privates are to be warned for Guard tomorrow

exclusive of the usual Guards. —

On the application of Capt. Purdy the Commdt. is induced to restore Jacob Miller to the rank of Sergeant in said Company, and to appoint Samuel Powel & Henry Baker (Privates) Corporals in the same, and directs that they may be respected and obeyed as such — They are to be mustered as restored, and promoted from the 1st Instant. —

Signed Thomas Butler
Lieut. Col.o Commdt.
4th regimt.

Orders. South West Point July 4th. 1801

The Commandant had flattered himself that on the Anniversary of that memorable day which gave National Birth & Consequence to the United States of America, that within his command a cause would not have existed for keeping a Soldier in confinement, and it is with extreme regret that he has found himself disappointed in that expectation; however as far as duty will permit, he feels disposed to relieve, and directs John McPherson, Angus Bawye, Thomas Bennet, Francis Carey, William Collins, Thomas Powers, Thomas Wooton, Thomas Simpson, and Reul Wilson to be released from confinement and ordered to join their respective Companies, he expects that this act of lenity will not again be abused.

The

The order of the 4th of July last being of general import it is to be read and considered as part of the order of this day.

The Commandant expects that the Troops under his command in Tennessee will on this day conduct themselves in a manner worthy the Character of Soldiers, he dont wish to be understood as having a desire to prevent their meeting together and engaging themselves in a decent and orderly manner, as it always gives him pleasure to see them cheerful and happy, but at the same time conceives it his duty to caution them against excess; as drunkenness is the bane and destruction of an Army as well as of society, and most men who are unfortunate in life date their misfortunes from the commencement of a desire for Ardent Spirits — The Troops are to be furnished with one Gill of extra Whiskey per man today — The Officers commanding companies will direct their Sergeants as to the time of delivering it —

Signed Thos. Butler
Lieut. Colo. Commdg.

Orders. ~~G.O.~~ West Point July 5th. 1800

The Artillerists are to commence cleaning the public Arms on monday Morning as directed in the order of the 1st. Instant. Signed Thos. Butler
Lieut. Colo. Comdg.

South West Point July 8th. 1800.

Orders.

A Garrison Court martial to sit at eleven oClock this morning for the trial of Barcly, Morford & Bishop of Capt. Taylors Company. Wootton & Brown of the late Sparks Company and Andrews of Capt. Graysons — The Court to consist of 3 officers — The Senior to preside — an orderly Sergeant to attend.

Signed Thos. Butler
Lieut. Col. Comm.g

Orders. South West Point July 9th. 1800

Capt. Purdy is directed to hold his Company in perfect readiness to march on the shortest notice, the Non Comm.d Officers & Privates of his Comp.y are not to be warned for duty tomorrow, and all on standing duty are to be relieved at 8 oClock in the morning. The Company Baggage is to be put in a situation for transportation, Invoiced, marked & weighed tomorrow forenoon. Lieut. Jones is to relieve Lieut. Wallington at troop beating tomorrow. The Quarter master is to have the Tents, Tools & Quarter Mr. Stores of every description (designed for the command) Invoiced and receipted for as soon as possible. —

Doctor Davis is directed to have a supply of Medecine & Hospital Stores prepared for the command, calculated for nine Months which are to be receipted for by Capt. Purdy and for the expenditure of which he will

be held accountable agreeably to the order of the 23rd. of August 1797.
The Pay Master is directed to pay Capt. Purdys Compy. three months Pay at three O'Clock tomorrow afternoon.

Signed - Thos. Butler
Lieut. Colo. 4th. Regt.

Agreeably to the order of Lieut. Colo. Comdr. Thomas Butler, a Garrison Court Martial, whereat Capt. Lockwood Presided, convened on the 8th Instant, and after being sworn proceeded to the trial of the following Prisoners -

Christian Andrews of Capt. Graysons Company charged with "Being absent from roll call on the 7th. Inst."
To the charge the Prisoner pleads guilty.

James Barclay, William Bishop & John Morford privates in Capt. Taylors Company charged with "Absenting themselves from their Company without leave, on the night of the 4th Instant". To which charge the Prisoners severally plead guilty.

Thomas Wotton of Lieut. Haines Detachment charged with "Being drunk on parade repeatedly." To the charge the Prisoner pleads not guilty.

The Court after hearing the evidences are of opinion that Andrews is guilty & under the 4th Article of the 13th Section of the rules & Articles of war do sentence him to receive 40 Lashes. -

That Barcly, Bishop and Morford are guilty, and do sentence each of them to receive (under the 2nd Article of the 6th Section) 50 Lashes. —

That Wotton is guilty and do sentence him under the 5th Article of the 13th Section of ~~Articles~~ rules and and Articles of War to receive 50 lashes. —

The Commandant approves the foregoing Sentences of the Court and directs that they be put in execution this morning at Troop beating, and further orders that the Whiskey of each be stoped for one month and applied to fatigue parties.

Signed Thomas Butler
Lieut. Col. Comm.dg

Orders ~~L~~ West Point July 10th 1800

The Court Martial whereof Capt. Lockwood is President is ordered to convene immediately and proceed to the trial of Sergt. Bundy – Willis – Kelly – Kirk & Greydon of Capt. Graysons Company – Preston & Simpson of late Sparks and Jones & Minard of Capt Balls Troop.

Signed Thos. Butler
Lt. Col. Commdg

After Orders

Captain Taylors Company is to be excused from duty tomorrow, in order to give them time to clean themselves – They are to be detailed for the day after

Signed Thomas Butler
Lieut. Col. Comm.dg

Orders. South West Point July 11th 1800.

Agreeably to the order of the Commandant the Garrison Court Martial whereof Capt. Lockwood is President met, and after being sworn proceeded to the trial of the following Prisoners.

Sergeant James Bundy of Capt. Graysons Company charged with, "Repeatedly absenting himself from the Garrison without leave and particularly on the night of the 9th Instant." The Prisoner pleads not guilty of the first part of the charge, but guilty of the last part.

The Court after hearing the evidence are of opinion that the Prisoner Sergt. Bundy is guilty of the latter part of the charge, but do not find him guilty of the first part, and under the 2nd Article of the 6th Section of the rules & Articles of War, do sentence him to be reduced to a private Sentinel. —

John Wilkis, John Kirk, Patrick Kelley and James Graydon of Capt. Graysons Company — Patrick Preston and Thomas Simpson of Lieut. Hanes' Detachment, and Sol. W. Jones and Daniel Minard of the Dragoons, charged with "Absenting themselves from the Garrison without leave on the night of the 9th Instant." To the charge the Prisoners severally plead guilty.

The Court are of opinion ~~that the Prisoners~~ are guilty of the charges exhibited against them, and under the 2nd Article of the 6th Section of the rules and Articles of War, do sentence each of them to receive Fifty Lashes. —

The Commandant approves and confirms the within sentences of the Court, and conceives that the Court has been mild in the sentences, as the crimes are of the highest nature and if not severely punished will lead to a total disobedience of orders and have a tendency to introduce disorderly beha-viour of every kind, yet when the Commandant observes that the ringleader was a Non Commissioned Officer, he is induced to remit the Corporal punishment, and to order Bundy, Kelly, Kirk, Willis & Graydon of Captain Graysons Company & Patrick Preston of Lieut. Haines' Detachment, Solomon W. Jones & Minard of the Dragoons to be kept twenty days on fatigue and their Whiskey stoped for one month. — A Non Commd. Officer is to be daily warned to take charge of them — The Quarter Master will point out where they are to labour. — Andrews, Bartley, Bishop, Wotton and Morford are to be released and ordered to join their Companies. Untile the 1st of September next the Sentinels are to be relived hourly —

The Court is dissolved.

Signed Thos. Butler
Lieut. Col.

Orders. South West Point July 13th 1800.

Mr. Norborne Thomas Nelson (late of Kentucky) having joined the Army as a Cadet, he is attached to the first Troop of Cavalry commanded by Capt. Ball; The Commdt. directs that all Non Commd. Officers and Privates of said Troop

pay due respect to the said N. T. Nelson, and obey all orders that he may be entrusted with to execute. —

Mr. Nelson is to be held on the rolls of said Company from the 1st Instant. —

Sign'd Thomas Butler
Lieut. Col. Command.g

Orders. South West Point July 18th 1800.

A Garrison Court Martial is ordered to set imme=diately for the trial of Lewis Price & Peter McCluskey Soldiers in the 4th Regiment — The Court to consist of three Officers, the Senior to preside — The Commandt. orders Francis Casey to be put to labour for 20 days and his Whisky stoped for one month.

Signed Thomas Butler
Lieut. Col. Comm.g

So. W. Point July 13. 1800.

Agreeably to the order of the Commandant of this date, a Garrison Court Martial met where of Lieut. Bowman is President, and after being sworn proceeded to the trial of Lewis Price of Capt. Graysons Compy. charged with "Neglect of duty when on his post on the night of the 13th. Instant." To the charge the prisoner pleads not guilty. —

The Court after hearing all the testimony adduced, and the defence of the Prisoner are of opinion that the probability of his being taken with

a Fit of Sickness is so great that they cannot find him guilty of the charge exhibited against him, and do therefore acquit him.

Peter McClusky of Capt. Graysons Company charged with "Neglect of duty when on his post on the night of the 15th. Instant." To the charge the Prisoner pleads guilty.

The Court after hearing the evidence, are of opinion that the Prisoner is guilty of the charge exhibited against him and under the 5th Article of the 18th Section of the Rules & Articles of War do sentence him to receive 100 lashes. —

The Commandant confirms the Sentence of the Court passed on Peter McClusky and orders it to be put in execution at retreat beating this Afternoon. He also approves the sentence of the Court Martial relative to the acquital of Lewis Price. Yet he cannot help being of the opinion, that if Sickness had been the cause of his being insensible to the taking away his Arms that the Corporal would have discovered convulsive symptons on him at the time. The Commdt. expects that Lewis Price will guard against the like in future. he is ordered to join his Company — The Court is dissolved.

Signed Thomas Butler
Lieut. Col. Commg.

Order. S. West Point July 22nd 1800

Thomas Clarke Junr. & James Hamilton Privates in Capt. Butlers Company in the 4th Regiment, are appointed Corporals in the same, and are to be respected & obeyed as such, and are to be mustered as Corporals in said Company from the 1st Instant. —

It is with concern that the Commandant has observed the great want of cleanliness within the Walls of the Garrison, and calls upon the Officers & Non Commission'd Officers to exert themselves in preserving that necessary part of police; the practice of making Water on the Pickets is positively forbidden. In the night the Troops are to make use of the holes in the Necessaries, and on no pretence any other place or places within the Walls.

Signed Thomas Butler
Lieut. Colo. —

Order South West Point July 25. 1800.

One Officer, One N.C. officer and twenty Privates, to be warned for fatigue tomorrow, exclusive of the daily fatigues. the Quarter master will furnish the necessary tools, and point out where they are to work — the whole to go on at Reveille

Signed Thomas Butler
Lieut. Colo. Comm'g.

G.O. West Point July 30th 1800.

Orders

A Garrison Court Martial is ordered to sit at ten O'Clock this day, for the trial of Corporal Barney, Levi Smith, John McPherson, Patterson, Battis Orr and Nicholas Smith, Prisoners in confinement. The Court to consist of three Officers. Major Peters to Preside. An orderly Sergeant to attend the Court.

Signed Thos. Butler
Lieut. Col. Commd.

Agreeably to the above order the Court convened whereof Major William Peters is President, and after being sworn proceeded to try the following Prisoners - Viz. -

Corporal Hugh Barney of the Artillery charged with "being absent from the Garrison after Tattoo, without leave on the night of the 25th Instant." To the charge the Prisoner pleads guilty.

Levi Smith of Capt. Graysons Company charged with "Absenting himself from the Garrison without leave on the 24th Instant, and lying out three nights. To the charge the Prisoner pleads guilty —

John McPherson & John Patterson of Capt. Lockwoods Company charged with "Scaling the Works of the Garrison on the night of the 26th Instant". To which charge the Prisoners plead not guilty.

Battis Orr of the Artillery charged with "Being absent from Parade at roll call on the morning of the 26th Inst." — Pleads guilty. —

The Court find Corporal Barny guilty of the charge exhibited against him and under the 2nd Article of the 6th Section of the rules and Articles of War do Sentence him to be reduced to a Private Sentinel and to recieve 75 lashes. —

They also find Levi Smith guilty of the charge exhibited against him and under the 2nd Article of the 6th Section & the 4th Article of the 13th Section of the rules & Articles of War do sentence him to recieve 100 lashes. —

They are also of opinion that John McPherson and John Patterson are guilty of the charge exhibited against them and under the 5th Article of the 18th Section of the Rules & Articles of War do Sentence each of them to recieve 75 Lashes. —

They also find Battis Orr guilty of the charge exhibited against him being a breach of the 4th Article of the 13th Section of the rules & Articles of War, and do Sentence him to be kept at hard labour for 10 days. —

The Commandant approves & confirms the several Sentences of the Court Martial of this date wheat Major Peters presided, and orders the punishment to be inflicted this evening at retreat beating, except the Corporal punishment of Hugh Barney who he orders to be put to labour for ten days, and his Whiskey with that of Battis Orr to be Stoped for that Period —

It is with peculiar pain that the Commdt. observes that the Soldiers under his orders, daily expose themselves to the Sentence of Courts

Martial, were they as sensible of the disgrace and pain of punishment, as the distress which their conduct gives their Comm.dt he is sensible that their feelings would induce a reform. However that nothing may be wanting on his part to stimulate them to pursue a line of conduct that would give him so much pleasure, he directs that the order of the 21st of February 1798 be read at evening parade, as far as the word "Army", leaving out the words "At Bell Canton," in the first part of the order.

It is also painful to the Comm.dt to be under the necessity of taking notice of the inattention paid to orders, he requests the Officers commanding Companies to examine the order of the 18th of March 1799 and conform to the same. He also directs the Officer of the day to examine that of the 8th of February 1798. which will enable him to give such directions to the Guards as will preserve Uniformity. —

The Commandant directs Jeremiah Biddlescomb, John Willis, John Kirk, Patrick Kelly Francis Carey, Patrick Preston, James Graydon Peter McClusky, with Jones and Minard of the Cavalry to be released from confinement this evening and ordered to join their Companies, and restore their Whisky from the date of releasement. The Comm.dt hopes that he will never again see them in so degraded a state.

Major Peters is to Muster and Inspect the Troops at this post on the 1st of August, at such hour in the Afternoon as he may direct. — The Troops are to be taken off duty on the 1st except the usual

Guards, in order to prepare for Muster all Waiters are to attend except those who do not bear Arms. ——

Signd — Thomas Butler
Lieut. Col. 4th regiment.

Additional after Orders.

The Commandt. conceives punishments only necessary for example, and when he has an Idea that lenity would have its effect, he feels disposed to pardon, he therefore pardons and remits the punishment of Patterson of Capt. Lockwoods Company — He expects that this will be not only a warning to him, but to all others — Patterson is ordered to be released & join his Company

Signd Thomas Butler
Lieut. Col. Commdg.

Orders South West Point August 2nd 1800

Report having been made by the Quarter Master of the regiment that the flour offered for issue on the 1st Inst. appeared to be unsound and not fit for use; one Captain is to be warned immediately to meet such person as may be appointed on the part of the Contractor, to examine the state of the flour, and make their report in writing agreeably to the Contract under which the issues were offered on the part of the Contractor

Signd Thos. Butler
Lieut. Col. Comdg.

Orders

South West Point August 5th 1800.

A Garrison Court Martial is ordered to sit immediately for the trial of William Collins & Robert Woods soldiers in the 4th regiment. - The Court to consist of three Officers - The Senior to preside - An orderly to attend the Court.

Signed

Thomas Butler
Lieut. Colo. Commd.

Orders.

South West Point August 7th 1800.

Agreeably to the orders of the Commandant a Garrison Court Martial met whereof Capt. Lockwood is president and after being sworn proceeded to the trial of

William Collins of Capt. Lockwoods Company charged with "Drunkenness, rioting and being absent from roll call on the evening of the 1st Inst."

To the charge the Prisoner pleads guilty of being absent from roll call but not guilty of Drunkenness or rioting. -

The Court after examining the evidence given are of opinion that the Prisoner William Collins is guilty of the charges exhibited against him, and do sentence him under the 13th Section Article the 4th and Section the 18th Article the 5th of the rules & Articles of War to receive Seventy five lashes.

Robert Woods of Lieut. Harris' Detachment charged with "Absenting himself from the Garrison on the evening of the 1st Instant." To the charge the Prisoner pleads guilty.

The Court are of opinion that the Prisoner Woods

is guilty of the charge exhibited against him and do sentence him under Section the 6th and Article the 2nd of the Rules & Articles of War to receive fifty Lashes —

Order

South West Point August 8th 1800.

The Commandant disapproves the sentence of the Court Martial which sat on the 5th Inst. with respect to the sentence passed on William Collins, but approves the sentence on Robert Woods. The Commandant does not disapprove the sentence of the Court on Wm Collins from a conviction that he is not guilty of the charges, but from an irregularity in the proceedings — He therefore remits the corporal punishment of Robert Woods and orders them both to be put to labour for 20 days; and their Whiskey stoped for that period. — Smith of Capt. Graysons Compy. McPherson of Capt. Lockwoods and Barney and Orr of the Artillery are to be released from confinement and ordered to join their Companies.

Sign'd — Thomas Butler
Lieut. Col. Comdg.

After Orders.

Augt. 8th 1800.

The Commdt. cannot help observing that some irregularities have crept into the proceedings of the Garrison Court Martial which sat under the order of the 5th Inst. and nothing but justice to his own integrity, as well as a wish to establish just principles & regularity in the proceedings of Courts Martial, could have induced him

to make the following observations.

The charges exhibited against William Collins are. Drunkenness, rioting and absence from Roll call, and the Court have found the Prisoner guilty of each.

1st Evidence - Corporal Harrison. Proves that the Prisoner was in a state of intoxication on the evening of the 1st Instant, his evidence also leaves an impression on the mind that the Prisoner was guilty of the 2nd Charge, as he found him and Toomas fighting; the evidence then relates that he confined them both, and reported the same to his Officer. Thus far the evidence proceeded with propriety. — The evidence then informs the Court that he had enquired of the men in the room the cause of the quarrel, who told him that Collins was altogether in fault. The Court should understand that the latter is not evidence, and should have been suppressed by the Judge Advocate and not suffered to appear on the proceedings of the Court. — It would have been proper in the Court to have called for evidence to prove with whom the riot originated, as it was an essential point to ascertain, but not receive evidence at second hand. —

2nd Evidence - Sergeant Levy. — Proves nothing but that Collins was absent from roll call on the evening of the 1st Instant. —

3rd Evidence - Sergeant Weaver — Proves that Collins appeared to be intoxicated when he was sent to the Guard house.

4th Evidence - Henry Pepper - proves that Toomas and Collins were fighting, and imposes on the Court his own opinion that Collins was in fault. The Court should have proceeded to call evidence to prove in detail the origin of

the quarrel, and from the evidence judged for themselves.

The 5th and last evidence is Capt. Lockwood, which proves nothing, as it is all from information except that his Sergeant reported the Prisoner, absent (to him) at evening roll call. —

There appears a great impropriety in the evidence of the Sergeant, as he reported the Prisoner present to the Adjutant on the same evening that he proves him in his deposition, absent — The same impropriety exists in Capt. Lockwoods evidence, as he proves that his Sergeant reported the said Collins absent to him, when he knew ~~him~~ that he was reported present on parade. —

The Commdt. has been thus circumstantial in hopes that Officers will consider the weighty obligations that they are under, when called to sit as members of a Court Martial as it is of all duties in an Army, the one that should call forth the most dispassionate delibaratation, as Probity Honor, Justice, and every moral obligation that man owes to man should impress his mind when called to decide on the fate of others. —

In issuing this order the Commdt. wishes to be fairly understood as it is done with a desire to impress on the minds of young Officers, how indefatigable they should be in acquiring sufficient knowledge to conduct the Proceedings of a Court Martial with propriety, and to determine upon cases that may come before them justly; at the same time it is with Pride and pleasure that the Commdt. can assert that he has Officers under his Command to whose decision

he would submit all that he holds sacred, was there a necessity —

Signed Thomas Butler
Lieut. Col. Comm.g

Orders South West Point August 10th 1800.

Exclusive of the Artificers, extra and daily duty men now employed, there are to be daily warned from the Infantry until further orders, a fatigue to consist of one Lieutenant, 2 Sergeants or Corporals, and 16 Privates who will recieve their instructions from the Regimental Quarter Master.

Lieut. Jones is directed to take charge of One Sergeant or Corporal and eight Privates (Dragoons) to make hay on the Island, they are to have one days Provisions cooked this evening. The Quarter master will furnish the necessary tools and Craft. The party to start at reveille — Lieut. Jones will recieve his instructions from the Commandant. Mr. Nelson is to have charge of the troop in the absence of Lieut. Jones. —

All men employed as Gardners are to join their respective Companies and do duty in detail untill further orders — Major Peters is requested to visit the outstanding fatigues frequently

Signed Thomas Butler
Lieut. Col. Comm.g

Order. S.o West Point August 19th. 1800.

The Commandt. observes that the Garrison has become infested with young Dogs; he directs those who wish to rear puppies, to prepare Kennels for them between the Public Stables and the river, and in future none are to be permitted within the Walls of the Garrison — The Officers Comm.g Companies are to see this order put in execution by ten O'Clock tomorrow.

Signed Thomas Butler
Lieut. Col.o Comm.g

Order. South West Point August 21st. 1800.

The Comm.dt is sorry to observe that frequent depredations are made on the Gardens, he did not think that there was a Soldier under his command that would be guilty of so mean an act, he cautions them against a repetition.

Signed Tho.s Butler
Lieut Col.o Com.dt

Order. South West Point August 28th. 1800.

A Garrison Court Martial is ordered to sit at ten o'Clock this forenoon for the trial of Corp.l Crockett, Cameron, Mc.Mullen, Wooton, Woolrick, of the Dragoons & Nagle. — The Crimes are to be immediately lodged against the Prisoners. — The Court to consist of three Officers — The Senior to preside — An orderly Serg.t to attend the Court. —

Signed Thos. Butler
Lieut. Col.o Comm.g

Agreeably to the order of Lieut. Col.o Comm.de Thomas Butler of this day, a Garrison Court Martial met whereof Capt. Taylor is President.

The Court after being sworn proceeded to the trial of the following Prisoners — viz.t —

Corp.l John Crockett of Capt. Taylor's Company charged with "Neglect of duty when on guard on the night of the 26th Instant". To the charge the Prisoner pleads not guilty.

The Court are of opinion that the Prisoner is guilty of neglect of duty in suffering his guard to be in a disorderly State when the Officer of the day visited it at the time mentioned in the charge, and under the 5th Article of the 18th Section of the rules & Articles of War, do sentence him to be reduced to a private sentinel. —

Henry Woolrick of the Dragoons charged with "Absenting from the Dragoon Cantonment without leave, and being in a State of intoxication, on the 27th Instant."

To the charge the Prisoner pleads guilty. —

The Court find the Prisoner Henry Woolrick guilty of the charge and under the 2nd Article of the 6th section and 5th Article of the 18th Section of the rules & Articles of War, do sentence him to receive 75 Lashes. ——

Thomas McMullen of the Artillery charged with "Being absent from the Garrison without leave on the 26th & 27th Ins.t"

To the charge the Prisoner pleads not guilty —

The Court are of opinion that the Prisoner McMullen is guilty of the charge & under the 2nd Article of the 6th Section of the rules & Articles of War do sentence him to receive 75. Lashes. —

Bernard Cameron of Capt. Grayson Company charged with "Neglect of duty when on his post as a sentinel, on the night of the 26th Instant." To the charge the Prisoner pleads guilty.

The Court find the Prisoner guilty of the charge, and under the 5th Article of the 18th Section of the rules and Articles of War do sentence him to receive twenty five lashes.

George Nagle of Capt. Taylors Company charged with "Absenting himself from the Garrison without leave on the 27th Instant." To the charge the Prisoner pleads guilty.

The Court find the Prisoner guilty of the charge and under the 2nd Article of the 6th. Section of the Rules & Articles of War do sentence him to receive Fifty lashes. —

Thomas Wooton of Lieut. Porters Detachment charged with "Absenting himself from the Garrison without leave on the 27th. Instant. — To the charge the prisoner pleads guilty. —

The Court are of opinion that the Prisoner is guilty of the charge, and under the 2nd Article of the 6th Section of the rules & Articles of War do sentence him to receive 50 lashes. —

* The Commdt. is induced to restore Corporal Crockett in hopes that he will in future perform his duty with more correctness — he is to be released from confinement — The Court Martial whereof Capt. Taylor is President is dissolved. —

* The Commdt. approves & confirms the several sentences of the foregoing Court Martial, and orders them to be put in execution this Evening at retreat beating. —

Thos. Butler
Lieut. Col. Comdt.

Orders

G. West Point Augt. 30th. 1800

A Payment having been ordered, the Commdt. is sorry that he does not feel himself at liberty to permit the deserving soldier to dispose of his pay in any manner that he might think proper; the cause originates with a few disorderly men, who at all hours frequent houses that have been established in the vicinity of this post for the sole purpose of making a prey of the earnings of the imprudent soldier; a moments reflection would convince any Person that the sole objects of these Harpies is to get the soldiers money, regardless of the punishments that their Arts bring on the unwary. —

The Commandant would be sorry to encourage a Soldier to withhold the Payment of a legal debt, but he considers debts contracted under the breach of orders, to be illegal, and positively forbids the Payment, and calls upon the Officers and Non Commd. Officers to exert themselves in seeing this order carried into effect. —

No Non Commissioned Officer, Musician or Private is to pass out of the enclosure without a passport, unless going on duty. — The Officers commanding Companies are directed to establish proper hours to send for Water for their respective Companies.

The Officer of the day in future is directed to insert in his reports the State in which he finds the Guards and the hours of visiting them as rounds and otherwise. —

Major Peters will muster and Inspect the troops at half past 6. tomorrow morning

The Officers commanding Companies are directed to have their respective Companies in readiness. —

Hugh Barney of the Artillery is restored to the rank of a Corporal and is to be mustered as such from the 1st Instant. — Signed Thomas Butler
Lieut. Col. Comd.

Orders, South West Point September 3rd 1800.

A Garrison Court Martial is ordered to sit at ten O'Clock this forenoon for the trial of Elijah Cackill and James Ford — the court to consist of One Captain and two Subalterns — an Orderly Sergeant to attend —

Signed,
Thomas Butler
Lieut. Col. 4th Regiment

Agreeably to the order of Lieutenant Col. Thomas Butler of this day, a Garrison Court Martial met, whereof Captain Lockwood is President — The court after being sworn proceeded to the trial of the following prisoners, viz.

Elijah Cackill of Captain Lockwood's Company, charged with "Neglect of duty when on his post as a Sentinel, in suffering two Soldiers to pass him out of the Garrison after tattoo contrary to his orders, on the Night of the 1st Instant". — To the charge the prisoner pleads not guilty — The Court are of opinion that the prisoner Elijah Cackill is guilty of the charge exhibited against him, and under the 5th Article of the 18th Section of the rules and articles of War do sentence him to receive One hundred lashes —

James Ford of Captain Grayson's company charged with "Absenting himself from the Garrison without leave on the 2d Instant" – To the charge, the prisoner pleads guilty — The Court are of opinion that the prisoner Ford is guilty of the charge and under the 2d Article of the Sixth Section of the rules & articles of War do sentence him to receive fifty lashes —

The Commandant approves and confirms the Sentences of the court Martial (whereof Captain Lockwood Presided) which were passed this day on Elijah Cackill and James Ford, and directs the punishments to be inflicted this evening at retreat beating —

When Soldiers will wantonly violate the rules by which armies are governed and accustom themselves to deliberately break the standing orders of the post, punishments becomes a duty of Necessity, and the Soldier has only himself to accuse for the pain and disgrace — The Court is dissolved —

(Signed) Thomas Butler
Lieut. Colo. Commdg.

Orders. South West Point, September 8th 1800

A Garrison Court Martial is ordered to sit at ten OClock this morning for the trial of Frederick Cobb and William Kelly — the court to consist of Three Officers — the senior to preside — an orderly sergeant to attend —

(Signed) Thomas Butler
Lieut. Colo.

In conformity to an order of this date a Garrison Court Martial convened; whereof Captain Lockwood is President; after being duly sworn proceeded to the trial of Frederick Cobb of captain Grayson's company, charged with "Selling whisky to the Soldiers contrary to the Standing Order of the Garrison on the 4th Instant" - To the charge the prisoner pleads not guilty — The Court are of Opinion that Cobb is guilty of violating the order of the Garrison by selling whisky; it being a Breach of article the 5th & section the 18th of the rules and articles of war, do sentence him to receive Seventy five lashes —

William Kelly of captain Taylor's company charged with "Disobedience of corporal Crocketts Order, and striking him on the Seventh Instant" - To the charge the prisoner pleads not guilty - The Court are of Opinion that Kelly is guilty of the charges exhibited against him, it being a breach of article the 5th & section the 18th of the rules & articles of war do sentence him to receive Seventy five lashes — The Commandant approves and Confirms the foregoing Sentences, and orders them to be put in ~~[illegible]~~ execution at retreat beating this afternoon; Painfull as it is to the Commandant to see punishments so frequent in the Corps under his Command, yet, was he to suffer such a flagrant breach of order, and Military discipline to pass unnoticed, he would deem himself reprehensible —

Signed, Thomas Butler
Lt. Colo. Commdt.

Order. South West point September 9th 1800.

A Garrison Court Martial is ordered to sit at one O'Clock for the trial of Sergeant O'Donnell of Captain Butler's company, consisting of three Members — Major Peters to Preside — an orderly Sergeant to attend —

, Signed,

Thomas Butler
Lieut. Colo.

Agreeably to the order of Lieut. Col. Commdt. Thomas Butler of this day, a Garrison Court Martial met whereof Major Peter is President, for the trial of Sergeant Mannus O'Donald of Capt. Butlers Company, charged with furnishing money to a Soldier (Wm. Helmick) to purchase a quantity of Whisky from an Indian for him, and to introduce it into the Garrison after dark, on the evening of the 5th Instant, contrary to the standing regulations of the Garrison at Tellico. — To the charge the Prisoner pleads not guilty. —

The Court after hearing the evidence are of opinion that, Sergeant O'Donald is guilty of the charge exhibited against him and under the 5th Article of the 18th Section of the rules & Articles of War, do sentence him to be reduced to a Private Sentinel and to receive 50 Lashes

The Commdt. approves & confirms the foregoing Sentence and orders the Prisoner to be reduced on the Company Parade at Tellico, but remits the Corporal punishment.

— Signed — Thomas Butler
Lieut. Colo. Commdg.

Orders —

South West Point September 15th. 1800.

A Garrison Court Martial is ordered to sit at ten O'Clock this morning for the trial of Baxley, Patterson, Greydon & Corporal Crisman — The Court to consist of three Officers — the senior to preside — An orderly Sergeant to attend. —

The scarcity of Officers renders it absolutely necessary that the Officer of the day should attend all morning and evening parades, as well as the Officer warned for the day. —

Sign'd Thomas Butler
Lieu Colo. Comdg

Orders.

South West Point 16. Sept. 1800.

Agreeably to the order of Lieut. Col. Thomas Butler a Garrison Court Martial met on the 15th Inst. whereof Capt. Lockwood is President. The Court after being sworn proceeded to the trial of the following Prisoners.

John Patterson of Capt. Lockwoods Company charged with absenting himself from this Post on the evening of the 13th Instant, without leave." To the charge the Prisoner pleads guilty. The Court are of opinion that the Prisoner is guilty of the charge, and under the 2d. Article of the 6th section of the rules & Articles of War, do sentence him to receive 75 lashes. — James Graydon of Capt. Graysons Company charged with 'Being absent from evening

roll call and from his Quarters at Tattoo on the 13th instᵗ
To the charge the Prisoner pleads guilty. —
The Court find the Prisoner guilty of the charge and under the 3rd & 4th Articles of the 13th Section of the rules & Articles of War do sentence him to receive 75 lashes.

James Barclay of Capt. Taylors Company charged with "Absenting himself from the Garrison without leave on the evening of the 11th Instant". To the charge the Prisoner pleads guilty. —
The Court find the Prisoner guilty of the charge and under the 2nd Article of the 6th Section of the rules & Articles of War do sentence him to receive 75 lashes. —

Corporal Crisman of Capt. Taylors Compy. charged with "Being absent from his quarters at Tattoo on the evening of the 9th Instant". To the charge the Prisoner pleads not guilty. The Court are of opinion that the Prisoner Corporal Crisman is guilty of the charge being a breach of the 3rd Article of the 13th Section of the Rules & Articles of War but in consequence of some mitigating circumstances in his favour they do only sentence him to be severely reprimanded in Orders by the Commdg. Officer, on the Parade. —

The Commᵈᵗ. approves and confirms the foregoing sentences and orders them to be put in execution at retreat beating this Afternoon. The Commᵈᵗ. is sorry to be so frequent-ly called upon to perform a tasks so disagreeable to his nature as to confirm the Sentences of Courts Martial for the punishment of the soldiers under his Command, but it appears

that no warnings, or examples will have the least effect. Corpl. Crismans conduct has been improper; and it is expected that he will be more circumspect in future, as it is disagreeable to see Non Comm.d Officers submit themselves so frequently to the confinement of a Guard house, as well as to Corporal Punishment. — Corporal Crisman is to be released and ordered to join his Company — The Court is dissolved

Signed Thomas Butler
Lieut. Col.o Comm.d.g

Orders. South West Point Sept. 21st. 1800

A General Court Martial will convene tomorrow at eleven O'Clock; agreeably to the General Order of the 29th. Ultimo. Major Peters to preside — Lieut. Salmon Judge Advocate —

Capt. Lockwood
Lieut. Campbell
Lieut. Easttone
Members
Lieut. Chandler
Lieut. Jones
Lieut. Porter

An orderly Sergeant to attend

Signed Thomas Butler
Lieut. Col.o Comm.d.g

Orders. So. West Point September 27th. 1800.

The Comm.dt directs George Nagle of Capt. Taylors Company, James Graydon of Capt. Graysons, & John Patterson of Capt. Lockwoods Comp.y to be released and ordered to join their respective Companies at retreat.

beating. He also permits Wooton & Woods to go to their rooms to to continue at labour under the direction of the Quarter Master untill further orders. The Commandant also directs James Barcly to be put to labour, but to be returned to the Guard house at the hour the fatigue are off.

Sign'd Thomas Butler
Lieut. Col. Comm'g.

Orders.

South West Point Sept. 29th 1800.

Major Peters will muster & inspect the Troops at this post tomorrow at three OClock in the afternoon, and those at the post of Tellico on the morning of the 2nd of October —

Sign'd Thos. Butler
Lieut. Col.

Orders — So. West Point October 4th 1800.

Lieutenant Sharp having returned off Command he is to take charge of Capt. Balls Troop of Cavalry, and report the State of the same to the Commdt. tomorrow afternoon he directs that the most minute inspection take place, as to horses, Equipments, Clothing &c — Lieut. Jones is to join his Company.

Sign'd Thomas Butler
Lieut. Col. Comm'g.

Orders — So. W. Point Oct. 6. 1800

The General Court Martial whereof Maj. Peters is Presid. is to meet tomorrow at ten OClock for the trial of such Prisoners as may be brought before them — Lieut. Bowman is appointed a member in place of Dr Chandler, who is sick

Sign'd Thos. Butler Lt. Col. Comdg.

Orders. South West Point Octr. 7th 1800.

A Garrison Court Martial is ordered to sit tomorrow at ten o'clock for the trial of such Prisoners as may be brought before them. Capt. Lockwood to Preside - Lieuts. Phaise, Campbell, Jones and Porter Members. An orderly Sergeant to attend —

Signed Thomas Butler
Lieu. Col. Comdg.

Orders.

South West Point October 8th 1800.

In conformity to the orders of Lieut. Col. Commandt. Butler of the 7th instant, a Garrison Court Martial convened whereat Capt. Lockwood Presided; and after being sworn proceeded to the trial of the following Prisoners. viz.

Patrick Preston charged with "Absenting himself from this Garrison without leave on the evening of the 6th Inst."

To the charge the Prisoner pleads not guilty —

The Court find the Prisoner guilty & sentence him under the 2nd Article of the 6th Section of the Rules & Articles of war to receive 50 lashes. —

Peirce Lyons of Capt. Lockwoods Company charged with "absenting himself from this Garrison on the evening of the 6th Instant without leave. To the charge the Prisoner pleads guilty. —

The Court find the Prisoner guilty and sentence him under the 2nd Article of the 6th Section of the Rules & Articles of war to receive fifty lashes. —

Christopher Anspach of Capt. Taylors Company charged with "Absenting himself from this Garrison on the evening of the 19th of September last with leave". To the charge the Prisoner pleads guilty. The Court find the Prisoner guilty of the charge, and do sentence him under the 2nd Article of the 6th Section of the rules & Articles of War to receive 50 lashes.

The Commdt. approves of the foregoing sentences and orders the punishments to be inflicted at retreat beating this evening — How often has the Commdt. expressed the pain which the frequent punishments give him, but when advice looses its force examples must take place —

Signd

Thomas Butler
Lieut. Col. Commdg.

Orders. South West Point Octr. 16. 1800.

Patrick Preston & Christopher Anspach, Pierce Lyons, & James Barclay are to be released from confinement at retreat beating this evening and join their respective Companies.

Signd Thomas Butler
Lieut. Col. Commdg.

Order. S. West Point Octr. 17th 1800.

On the application & recommendation of Capt. Grayson the Comm. dt. thinks proper to appoint John Davis of his Company a Sergeant in the same; he is therefore to be respected and obeyed as such, and held on the rolls of said Company as a Sergeant from the 1st Instant.

John F. Ellinger being also recommended by Captain Lockwood is appointed a Corporal in said Company, and will be mustered as such from the 1st Instant.—

Sign'd Thos. Butler
Lieut. Colo. Comg.

Order. South West Point Octr. 23rd. 1800

The General Court Martial whereof Major Peters is President is to convene immediately for the trial of Lieut. James. — Captains Grayson & Taylor are to sit as members on said Court —

An Orderly to attend. S.d

Thos. Butler
Lieut. Colo. Comg.

Order South West Point October 25th. 1800.

A Garrison Court Martial is to sit this day at ten o'clock for the trial of such Prisoners as are in confinement — The Court to consist of three Officers — the Senior to preside — An orderly Sergeant to attend the Court.

Sign'd Thos. Butler
Lieut. Colo.

Agreeably to the order of Lieut. Col. Commd. Thomas Butler of this day, a Garrison Court Martial met, whereof Capt. Grayson is President, and after being sworn proceeded to the trial of the following prisoners.—

John Brown fifer in the 4th regiment, charged with "Being absent from South West Point without leave on the night of the 20th Instant." To the charge the Prisoner pleads guilty.

The Court are of opinion that the Prisoner is guilty of the charge, and under the 2nd Article of the 6th Section of the rules & Articles of War, do sentence him to receive Fifty lashes.—

Robert Woods of Lieut. Porter's Detachment charged with absenting himself from his quarters after tattoo on the night of the 20th instant, without leave." To the charge the Prisoner pleads guilty.—

The Court are of opinion that the Prisoner is guilty of the charge, and under the 2nd. Article of the 6th. Section of the rules & Articles of War, do sentence him to receive 25 lashes.—

No Crime being found against James Clements of Capt. Taylor's Company he was returned to the Guard house & the Court adjourned.—

The Commdt. approves the foregoing sentences, and orders the punishments to be inflicted at retreat beating this evening. Clements of Capt. Taylor's Company is to be released and ordered to join his Company.

signed Thos. Butler Lt. Col. Com. &c

Orders. South West Point Oct. 26. 1800.

Four men from each Company are to be warned this evening for three days fatigue, in order to cut and prepare the Winter fire wood; Untill further orders they are to be relieved by a like number at the expiration of the time abovementioned. A Non Commissioned Officer is also to be warned to take charge of the party. The Quarter Master will furnish the necessary tools, & direct the wood to be properly Corded and point out the length which it is to be cut, which Wood is not to be used by the Troops untill orders are given for the purpose. — Four men are to be warned from the Cavalry and employed in like manner. —

Sign'd Thos. Butler
Lieut. Colo.

Orders. South West Point October 30th. 1800.

The Troops are to be in readiness for Muster tomarrow afternoon at 3. O'Clock, and for Inspection on the day pointed out in General Orders, at such hour as the Commdt. may direct —

J. Brown & J. Woods are to be released at evening role call. — Signed Thos. Butler
Lieut. Colo. Comdg.

Order. South West Point Nov.r 8th 1800.

The Commandant orders Jeremiah Hamilton, John Job, William Armstrong, Alex.r Congleton, William Little, and Fifer Burrows to be released from confinement at retreat beating, and farther directs that the Whisky of the two former shall be stoped for two months, and that of the latter four for one month — The Quarter Master will recieve the due Bills for the same time, and dispose of it as the Comm.dt may direct

— Signd — Tho.s Butler
Lieu.t Col.o Comm.g

Order — South West Point Novem.r 9th 1800.

The conduct of James Anderson of Cap.t Graysons Company has been so marked with propriety for a length of time past that the Comm.dt takes pleasure in expressing his approbation of the same, and of restoring him to the rank of a Sergeant in the said Company and directs him to be held on the rolls of Muster as a Sergeant from the 1.st Instant, and to be respected and obeyed as such. —

Signd Tho.s Butler
Lieu.t Col.o Comm.g

Orders—

South West Point Nov. 10th. 1800

In the last clause of the second Article of the Contract existing between the United States & Alexander D. Orr Contractor, it is expressly covenanted that it shall be in the option of the General or Officer commanding an Army, or a great Military district, in all cases not otherwise provided for by this Contract, to direct when or how often fresh or salt ~~provision~~ meat shall be issued by General orders, to be promulgated a reasonable time before the issue is to commence.—

Therefore as Officer commanding the troops of of the United States in the district of Tennessee, and conformably to the Contract I have thought proper to direct fresh meat to be issued to the Troops at the several Posts within my command two days in each week through the months of January & February and one day in each week throughout the months of March & April 1801.—

- Sign'd - Thos. Butler
Lieu. Col: Comd. g in Tennessee

Orders.

South West Point Nov. 15th. 1800.

The Troops at this post will hold themselves in readiness for exercise at eleven o'clock tomorrow — the long roll will be the signal for the Troops to parade and it is expected that all waiters that can be spared

from the Kitchens will attend, the Officers Commanding Companies will see that each man is furnished with a Wooden Snapper.

Sign'd

Benjamin Lockwood
Captn. Comm'dg

Order. South West Point November 21st. 1800.

The Commander in Chief having confirmed the sentence of the Court Martial which tried Henry Kinnerman a Soldier in Capt. Lockwood's Company, for desertion, has ordered the punishment to be inflicted at such times as the Commandant in Tennessee may direct. — The Commdt. directs 25 lashes to be inflicted this evening at retreat beating, and the like number on each succeeding evening untill the whole is inflicted. — Sign'd

Thomas Butler
Lieut. Colo. Commdg
in Tennessee

Order — South West Point November 22nd. 1800.

A Garrison Court Martial is ordered to convene this day at eleven O'Clock, for the trial of Sergt. Mathews William Halland, Solomon Jones & John Thompson now under confinement. The Court to consist of five Officers, the Senior to preside — An orderly Sergeant to attend the Court.

Sign'd Thos. Butler Lt. Colo.
Comm'dg in Tennessee

Orders—

South West Point Novr. 24. 1800.

Agreeably to the orders of Lieut. Col.
Commdt. Thomas Butler a Garrison Court martial
whereof Capt. Lockwood is President convened on the 22nd Inst. and
proceeded to the trial of the following Prisoners — viz.—

Sergeant John Mathews of Capt. Taylors Company charged with "neglect of duty on the 27th Ultimo — For suffering a Prisoner and one of his Guard to be absent for near three quarters of an hour without reporting the same to the Officer of the day, or making the necessary search after them." To the charge the Prisoner pleads not guilty.

The Court after maturely considering the evidence adduced, are of opinion that the Prisoner Serjt. Mathews is guilty of neglect of duty, and by virtue of the power vested in them by the 5th. Article of the 18th Section of the rules & Articles of war, do sentence him to be reduced to a Private Sentinel. —

Also. Solomon W. Jones & John Thompson Privates in the Dragoons charged with "Absenting themselves from their Squads at Tattoo on the evening of the 11th Instant." To the Charge the Prisoners plead guilty.

The Court find the Prisoners Jones & Thompson guilty of the charge, and under the 2nd Article of the 6th Section of the rules & Articles of war, do sentence each of them to receive 40 Lashes.

And Also William Holland of Capt. Lockwoods Company charged with "Suffering a Prisoner committed to his charge to go off, and with suffering him to free himself of part of his Irons; also for accompanying the Prisoner in attempting his Escape on the 27th. ultimo."

To which charge the Prisoner pleads not guilty. —

The Court are of opinion that the Prisoner Holland is guilty of the charge, and under the 5th. Article of the 18th. Section of the Rules & Articles of War, do sentence him to receive One hundred Lashes. —

The Commandant confirms the several sentences of the Court Martial whereof Capt. Lockwood is President, and orders the sentences on John Mathews & William Holland to be put in execution this evening at retreat beating, but thinks proper to remit the corporal punishment of Solomon W. Jones and John Thompson of the Cavalry, but orders their whisky to be stoped for one month — He further directs the whiskey of Saml. Phipps, William Barnet, Peter McClusky, Thomas Davis, David Buck, William Cleland and John Morford to be stoped and retained for one month after the last order for suspension expires —

The Quarter Master will receive the due Bills as directed in the order of the 8th. Instant — Mathews, Jones, Thompson, Phipps, Barnet, McClusky, Davis, Buck, Cleland, Morfords, and Burrows are to join their respective Companies. The Court is dissolved

Signd. Thomas Butler
Lt. Col. Comdg. in Tennessee

Order. South West Point December 1st 1800

The Comm^dt being fully impressed with the absolute necessity that exists in all Garrisons to use every necessary pre=caution to prevent the buildings taking fire— Therefore directs officers commanding Companies to cause the Chimneys of their mens quarters to be swept once in every two weeks during the winter season and also to cause the water Kegs, Kettles & such other Vessels as belong to the rooms to be filled with water every evening Immediately after Retreat Beating and placed in a convenient situation on the piazza in front of the respective companies— The Commandant is sensible the officers will see this order executed punctually— The days in each second week on which the company chimnies are to be swept are Thursday— The Quarter Master will call for men for the purpose of sweeping the chimnies of the Field and Staff officers quarters at such times as may be deemed necessary— The chimnies of the company officers quarters are to be swept with those of their respective companies—

Signed,
Thomas Butler
Lt Col. Command^g

Order. South West Point December 5th 1800

Untill further orders each Cavalry horse is to be furnished with eight pounds of hay per day; The deputy Quarter-master will see the necessary arrangements made for the issues—

Signed,
Thomas Butler
Lieut. Col.

Orders South West Point. December 6th 1800.

The troops are directed to hold themselves in readiness for exercise tomorrow morning at Eleven O'clock. The Officers are requested to attend. Captain Lockwood to Command, who will receive previous directions from the Commandant —

, Signed, Thomas Butler
Lt. Col. Commdg.

Orders South West Point. December 11th 1800.

A Garrison Court Martial is ordered to sit this day at eleven O'clock for the trial of such prisoners as may be brought before it. The Court to consist of five Officers, the Senior to Preside. An orderly Sergeant to attend the court —

, Signed, Thomas Butler
Lieut. Col.

Orders South West Point. December 13th 1800

A Court of enquiry is ordered to sit this morning at Eleven O'Clock to examine the legality of John Jackaway's enlistment; the court is to consist of Captain Lockwood, Lieutenants Salmon & Bowman. The court is to hear evidence on the case & report their proceedings to the Commandant as soon as possible. An Orderly Sergeant to attend the court —

, Signed,
Thomas Butler
Lt. Col. Commdg.

Agreeably to the order of Lieut. Col. Thomas Butler of this day a court of enquiry met whereof Captain Lockwood is President, & Lieutenants Salmon & Bowman are members—

The Court after being Sworn proceeded to examine the legality of John Jackaway's enlistment, who complains that he was enlisted on the 11th of June 1799 by Lieutenant Thomas Cartland, who read his enlistment to him for the term of 18 months, and that time having expired he is retained in the Service contrary to his agreement that he could not read his enlistment himself & supposed that he should be discharged at the expiration of 18 months—

Lieutenant Swaine, on oath "Some time after Captain Taylor brought his company to this place, he applied to me as Deputy Judge Advocate to the troops in Tennessee, to attest several of his men, amongst the rest was Jackaway— I examined the enlistment & found that Mr. Cartland had attested him; I erased Mr. Cartland's name, read the oath to Jackaway & asked him whether he acknowledged the Mark, which he did— I then entered my name as it will appear on the Enlistment— I then shewed him the Mark at the bottom of the receipt, which he also acknowledged and I subscribed my name as a witness to it— while this was doing Jackaway made no observations on the term of his enlistment, nor did he offer any objections to being sworn.

I recollect having read the oath to Jackaway, but the enlistment I did not, and I believe I only asked whether the Mark to the receipt was his.

Lieutenant Cartland on Oath. "While I was recruiting in Kentucky I was at Stanford, John Brown who since enlisted in Capt. Taylors Company came to me and asked me if I was recruiting? I told him I was - He then asked me the terms, and the time that I enlisted for, I told him that I enlisted for 5 years, and that I gave 8 Dollars bounty in hand and four when the recruit joined the regiment. - He told me that he had some thoughts of enlisting, when I wrote an enlistment he then said that he would put it off for a few days longer, but that he would certainly enlist. He then asked me if I would give him any thing if he would enlist some good men for me, I told him that I would give him the Premium which was allowed for enlisting a soldier which was two Dollars - He then said he would go and try, that he thought he could get several to enlist. After he had been gone some time I went to a Mr Simpsons where I found John Jackaway whom Brown was persuading to enlist. Jackaway then asked me the terms I enlisted for I told him for five years and that I gave eight Dollars Bounty in hand and four when he joind the regiment. He said that it was too little, that he would not enlist unless I would give him 12 Dollars in hand, and also observed that he did not like to enlist for so long a time. I told him that my recruiting instructions would not admit of enlisting for a shorter time than that He then said he would put it off a while - a Short time afterwards Brown & Jackaway came up

into the room where I was. I asked Jackaway if he was willing to enlist yet. He said he did not know whether to do it or not, that he had engaged to do some work in the neighbourhood, and he did not like to break his engagement. Brown then observed to him that he had better enlist, that he intended to do it, and that they should find it much better than working in the sun. — Jackaway then hesitated for some time, and at length said he would enlist provided that I would give him 12 Dollars in hand. I told him that I would not, but that I would give him 10. and that I had agreed to give Brown two for enlisting him which made 12 Dollars. He then said he would enlist — I gave him 10 Dollars and he put his mark to the enlistment for five years —

I never heard Jackaway make any objections at the time he enlisted, about the term of enlisting, neither did I ever hear him make any objections untill since he came to this place, to his being enlisted for 5 years — I read over the enlistment to him as it now appears before the Court, before he signed it. —

At the time he signed the enlistment I had not the Oath & Receipt wrote, but he signed them as soon as they were wrote which was a few minutes afterwards, both of which I read to him as they appear on the enlistment now before the Court.

Quest. by Jackaway. Did you agree to enlist me for 18. Months?

Answer. No. I did not. —

The Enlistment of John Jackaway was produced to the Court which appears to be executed in due form. —

The Commandant has examined the foregoing proceedings and cannot find the smallest foundation for Jackaways supposing that he was enlisted but for 18 months, as the enlistment was regularly taken, he therefore orders said Jackaway to be confined for falsely asserting that he was not enlisted regularly and for five years.

Sign'd Thomas Butler
Lieut. Col.

Orders — South West Point 15. December 1800

Captain Grayson, Lieuts. Swaine & Bowman are appointed a Board to hold a Survey on the defective horses in Capt. Ball's Troop of Cavalry. they are directed to perform the examination this afternoon and report in writing the number unfit for service, with their Colour & Marks. —

Sign'd Thos. Butler
Lt. Col. Comg.

Agreeably to the order of Lieut. Col. Comdt. Thomas Butler of the 11th Inst. a Garrison Court-martial met whereof Capt. Lockwood is President —

Capt. Grayson } Members { Lieut. Campbell
Lieut. Eastland } { Lieut. Porter

And after being sworn proceeded to the trial of the following Prisoners —

Samuel Ripley of Capt. Lockwoods Company charged with being drunk & absent from Exercise & roll call on the evening of the 5th Instant." To the charge the Prisoner pleads guilty.

The Court find the Prisoner Ripley guilty of the charges exhibited against him, and under the 4th article of the 13th Section of the rules & Articles of War, do sentence him to receive 50 lashes. —

Lewis Price of Capt. Graysons Company charged with "absenting himself from the Garrison on the evening of the 6th Instant, and staying out all night without leave". To the charge the Prisoner pleads not guilty of the first part of the charge but guilty of staying out all night.

The Court find the Prisoner guilty of the charges exhibited against him, and under the 2nd Article of the 6th Section of the rules & Articles of War, do sentence him to receive 50 lashes —

Thomas Barnet & Bernard Cameron of Capt. Graysons Company charged with "Absenting themselves from the Garrison on the evening of the 8th. Instant, without leave."

To the charge the Prisoners plead guilty. —

The Court find the Prisoners Barnet & Cameron guilty of the charges exhibited against them & under the 2nd Article of the 6th Section of the rules & Articles of War to sentence each of them to receive 50 lashes. —

John Brown of Capt. Taylors Company charged with "Mutinous conduct, in trying to persuade the Soldiers to deny their enlistments, & for repeated threats against Lieut. Thomas Eastland, and for attempting to impress on the minds of the Soldiers that he (Lieut. Eastland had defrauded him out of his rations" —

To the charge the Prisoner pleads not guilty.

Joseph Walker being sworn, saith. We were talking on the river Tennessee, — Jackaway said he was only enlisted for 18 months, and some time after we had been talking about it, Brown said he could be qualified that Jackaway was only enlisted for 18 months, and that Lieut. Eastland had two enlistments when Jackaway enlisted — one enlistment which he produced & read to Jackaway which was for 18 Months — the one which Lieut. Eastland read he slipped underneath another enlistment for 5 years which Jackaway signed — And Brown the Prisoner said that there was two men in Capt. Taylors Company

that could prove the same, and an Inhabitant of Kentuckey - he (Brown) said that Lieut Eastland would not be three months in the Service before he would be put under an arrest for acting unbecoming an Officer.

Corporal Dawson being sworn saith. "Brown said to Jackaway that he could get off at the time his 18 months was out if he would try for it."

Question by the Court. Do you know what the charges was against Brown at the time he was brought out on the Parade to be punished at Federal Canton?

Answer by Corpl. Dawson. I do not know.

John Mathews being sworn saith: "All that I know, Brown said that Lieut. Eastland, the damn'd rascal, had come forth to punish, and he said that Lieut. Eastland had cheated him out of his small dues & he would have satisfaction. Biggs & Brown were talking together last evening - I heard Brown say he would bet five Dollars to one that Jackaway would be cleared of censure, and Biggs offered to bet with him.

Question by the Court. At what time and place did Brown make use of the expression, that "Lieut Eastland the damned rascal, had come forth to punish him?

Answer by Mathews. It was in the fall of 1799 at Federal Canton. —
Question by the Court. Was those expressions made use of previous to his trial at that place or afterwards.?

Answer by Mathews. I cannot tell whether after or before.

Question by the Prisoner to Mathews — "Was I not brought out to be punished after calling Lieut. Eastland a damned rascal and saying he cheated me out of my small dues, without the benefite of a Court Martial, and was I not acquitted"?

Answer. I do not know.

John Jackaway being sworn.

Question by the Court — Did John Brown of Capt. Taylors Company advise you to caveat your having enlisted for five years?

Answer by Jackaway. — I talked to him several times about it, but he never gave me any satisfaction, and said it was time enough for him to say what he had to say when he was called upon. —

Daniel McHenry being sworn on behalf of the Prisoner.

Question by the Court to McHenry — Did you see hear Brown make use of any threats against Lieut. Eastland?

Answer by McHenry — I never did. —

Question by the Prisoner to McHenry — } What was I brought on the

parade to be punished for at Federal Canton, and afterwards pardoned?
Answer by McHenry— It was for calling Lieut. Eastland a damned rascal.—

Corporal Crockett being sworn in behalf of the Prisoner.—

Question by the Prisoner to Corporal Crockett. What was I released for on the Parade the first time, after I was reduced? Ansr. by Crockett. I dont know.—

Question by the Prisoner to Corporal Crockett.

What crime was I released for the third time that I was confined? Answer by Crockett— The suspicion of Desertion.—

Question by the Prisoner to Corpl. Crockett. Did you ever know me to make use of any threats against Lieut. Eastland? Answer— No more than you said Mr. Eastland had parted you and your lawful married Wife. You said you would be up with him.—

Question by the Prisoner.— At what time did you hear me make use of these threats?

Answer— It was the same day you was reduced.—

Question by the Court to Walker. What was Brown confined for the second time at Federal Canton?—

Answer by Walker. The crime he was confined for was a suspicion of desertion at which time I was doing the duty of orderly to the Company.—

Question by the Court.— Was Brown acquitted on

the parade by Capt. Taylor for the above crime? —

Answer by Walker. Yes. —

Question by the Prisoner — Was I not brought out to be punished for calling Lieut. Eastland a damned rascal, and saying he cheated me out of my small dues, without the benefit of a Court Martial, and was I not acquitted?

Answer by Walker — You never was when I was present with the Company —

Question by Lieut. Eastland. Did you ever know of Browns being confined for calling me a damned rascal and saying I cheated him out of his small dues —?

Answer by Walker — No. —

Lieut. Eastland being sworn. —

Question by the Court. Was the Prisoner Brown ever confined and pardoned for any part of the charges now before the court, against him?

Answer by Lt. Eastland. No, he never was, I confined him on every charge myself which he was confined for in Kentucky — the charge which he is now confined on never came to my knowledge untill the first of this week. —

The Court after mature deliberation find the Prisoner Brown guilty of the charges exhibited against him, and under the 5th. Article of the 18th Section of the rules & Articles of War, do sentence him to receive 100 Lashes. —

The Commdt. approves & confirms

the several sentences of the Court Martial whereof Capt. Lockwood is President, but on a presumption that a future conduct of the Prisoners will attone for the several offences which they have been guilty of he is induced to pardon & remit the Punishments of, Ripley, Price, Barnet and Cameron, and orders them to be released at retreat beating and join their respective Companies; But views with abhorrence the Mutinous and daring conduct of John Brown a Soldier in the late Capt. Taylors Company, in attempting to destroy the reputation of an officer, by exciting sundry Soldiers to deny their enlistments which have been regularly taken and attested before proper Authorities. The Commdt. therefore orders the punishment agreeably to the sentence of the Court Martial to be inflicted this evening at retreat beating. The Commandant further observes that he has taken due pains to ascertain whether there was any foundation for raising any caveat against the legality of the enlistments, but cannot find any, he therefore cautions those who have made this base attempt through the means of the said Brown to guard against any thing of the kind in future as the most exemplary punishment is laid down by the Articles of War as the reward of such Crimes. — The Court Martial whereof Capt. Lockwood is President is ordered to convene tomorrow at ten O'Clock for the trial of John Jackaway.

Sign'd Thomas Butler
Lt. Col. Commdg.

Orders.

South West Point December 18th 1800.

Agreeably to the order of Lieut. Col. Comm.dt Thomas Butler of the 15th Instant, the Court Martial whereof Capt. Lockwood is President convened, and after being sworn proceeded to the trial of

John Jackaway private of the late Capt. Taylors company charged with "Falsely asserting that he was not enlisted regularly and for 5 years".

To the charge the Prisoner pleads not guilty.

The Court find the Prisoner John Jackaway guilty of the charges exhibited against him, and under the 5th Article of the 18th Section of the rules & Articles of War, do sentence him to receive fifty lashes. ———

The Commandant approves & confirms the sentence pronounced on John Jackaway a Soldier in the late Capt. Taylors Company by the Court Martial which sat on the 16th Instant and of which Capt. Lockwood is presid.t

Nothing would have induced the Comm.dt to deviate from the sentence, but through the pressing interposition of his Officers, as the crime was of the basest nature; not only having formed a combination to injure the reputation of an Officer but attempting to add perjury to the list —

The Comm.dt remits the punishment and orders the said Jackaway to join his Company. this he does in full expectation that his conduct in future will sanction this mark of lenity.

John Shannon is also released from confinement — his Whiskey is to be stoped for one month under the regulations heretofore

expressed. The Court Martial whereof Capt Lockwood is President is dissolved —

Sign'd Thomas Butler
Lieu. Col. Comm'g

Orders. South West Point December 29th. 1800.

A Garrison Court Martial is ordered to sit this day at ten O'Clock for the trial of James Golden, Herod Wilson, L. Clingaman, Phillip Dutch & Patrick Kelley — The Court to consist of three Officers — the senior to preside — An orderly Serjeant to attend.

Sign'd Thos. Butler
Lieu. Col. Comm'g

Orders. South West Point Decemr. 30th. 1800

The Troops are to hold themselves in readiness for Muster tomorrow at eleven O'Clock the Cavalry to parade on the right of the Infantry without horses — the sick of each Company are to be paraded within the Garrison — the Inspection will take place on the 5th of January 1801 at such hour as the Comm^dr may hereafter direct —

Sign'd

Thomas Butler
Lieu. Col. Comm'g

After Orders. December 30th 1800

Agreeably to the order of Lieut. Colo. Commandant Thomas Butler of the 29th Instant a Garrison Court Martial met whereof Capt. Lockwood is President, and after being sworn proceeded to the trial of the following Prisoners — viz. —

James Golden of the late Capt. Taylors Company charged with "Being drunk when on his post as a Sentinel on the 26th Instant. — To the charge the Prisoner pleads guilty. —

The Court are of opinion that the Prisoner is guilty and under the 5th Article of the 13th Section of the rules & Articles of war, do sentence him to receive one hundred lashes. —

Harod Wilson of the late Capt. Taylors Company charged with "Being drunk & absent from roll call on the evening of the 26th Instant". To the charge the Prisoner pleads guilty. —

The Court are of opinion the Prisoner is guilty & under the 4th Article of the 13th Section & Article the 5th Section the 18th of the rules & Articles of war, do sentence him to receive Seventy five lashes. —

Patrick Kelly of Capt. Graysons Company charged with "Absenting himself from the relief when going round after being relieved from his post No. 4. on the night of the 19th Instant." To the charge the Prisoner pleads guilty.

The Court are of opinion that the Prisoner is guilty and under the 5th Article of the 18th Section of the rules and articles of war, do sentence him to receive twenty five lashes.

Laurence Clingamire of Capt. Lockwoods Company & Phillip Dutch of Capt. Graysons Company charged with "Being drunk when on duty on the night of the 25th Instant", also for having a Small Cask with liquor in it which was improperly obtained contrary to a standing order of the post. — To the charge the Prisoner Clingamire plead guilty. —— Phillip Dutch pleads not guilty. —

The Court are of opinion that Clingamire is guilty of the charges exhibited against him and under the 5th Article of the 18th Section of the rules & Articles of War, do sentence him to receive twenty five lashes. — The Court cannot find Phillip Dutch guilty of either of the charges, and do acquit him —

The Comm^dt. approves the several Sentences of the Garrison Court Martial which sat on the 29th Instant of which Capt. Lockwood was President, but is induced from the general good conduct of Laurence Clingamire, to remit his punishment, he is also induced to remit the punishment of Patrick Kelly and that of Herod Wilson, but orders the Whiskey of the latter to be stoped for one month. —

The Comm^dt. is surprized to find that it has been customary for the Sentinels to leave the relief before the chain of Sentinels are relieved. Such conduct is unsoldier-like, and is positively forbidden. —

Clingamire, Dutch, Kelly and Herod Wilson, are to be released at retreat beating and join their Companies

A Sentinel being drunk on his post

is a Crime that cannot be pardoned — James Golden is to be punished this evening.

Sign'd Thomas Butler
Lieut. Col. Comm'g.

Orders. South West Point January 2nd 1801

A Garrison Court Martial is ordered to sit this morning at ten O'Clock for the trial of Henry Kinnerman, Corporal Dawson, Jarkaway, Lawrence, Hamilton, Cameron & Kelley. The Court to consist of three Officers — the Senior to preside — An orderly Sergeant to attend the Court. —

Sign'd Thomas Butler
Lieut. Col. Comm'g.

A

Agreeably to the order of Lieut. Col. Comm'dt. Thomas Butler of this day, a Court Martial met whereat Lieut. Jones presided, and being sworn proceeded to the trial of the following Prisoners — viz. —

Patrick Kelley & Bernard Cameron of Capt. Grayson's Company charged with being intoxicated on parade at roll call on the evening of the 31st of December 1800. — To the charge the Prisoners plead not guilty. —

The Court find the Prisoners Kelly & Cameron guilty, and under the 5th Article of the 13th Section of the Rules & Articles of War, do sentence each of them to receive Fifty lashes. —

Corporal Nimrod Dawson of the late Capt. Taylor's Company charged with "Absenting himself from the Garrison without leave on the 1st Instant". To the charge the Prisoner pleads guilty. —

The Court find the Prisoner Corpl. Dawson guilty of the charge exhibited against him and under the 2nd Article of the 6th Section of the rules & Articles of War do sentence him to be reduced to a private Sentinel & to receive fifty lashes. —

John Jackaway of the late Capt. Taylor's Company, Henry Kinnerman of Capt. Lockwood's Compy. Jeremiah Hamilton & Edwd. Laurence of Capt. Grayson's Co. charged with "absenting themselves from the Garrison without leave on the 1st Instant". — To the charge the Prisoners severally plead guilty. —

The Court find the Prisoners Jackaway, Kinnerman, Hamilton & Laurence guilty of the charge exhibited against them, and under the 2nd Article of the 6th Section of the Rules & Articles of War, do sentence each of them to receive Seventy five lashes. —

The Commandant approves & confirms the several sentences of the Court Martial which sat this day; and orders the punishments to be inflicted this evening at retreat beating on Kelly, Kinnerman, Dawson, & Jackaway. Brown and Golden are to be released from Confinement and ordered to join their Company.

Signd Thos. Butler
Lieut. Colo.

Orders — South West Point January 4th 1801.

Capt. Lockwood is directed to inspect the Troops at this post tomorrow by Companies commencing with the Cavalry at eleven o'clock.

Winnerman, Dawson, Jackaway & Kelly are to be released at retreat beating. —

Sign'd

Thomas Butler
Lieut. Col. Comm'g.
in Tennessee

Orders. South West Point January 6th 1801.

A General Court Martial is ordered to sit tomorrow at ten o'clock for the trial of such Prisoners as may be brought before them — The Court to consist of five Officers — Major Bradley to Preside — An orderly Sergeant to attend the Court — Lieut. Swaine to do the duty of Judge Advocate. —— Sign'd

Thomas Butler
Lieut. Col. Comm'g.

Orders. South West Point January 8th 1801.

In consequence of the order of Lieut. Col. Comm'dt. Thomas Butler of the 6th. Instant, a General Court Martial met on the 7th, whereof Major Bradley is Presid't.

The Court being sworn proceeded to the trial of the following Prisoners — Viz't. —

Jesse Green of Capt. Lockwoods Company charged

with "Deserting from this Post on the morning of the 2nd of November 1800." To the charge the Prisoner Pleads not guilty of Desertion, but guilty of leaving the Post without leave. ——

The Court after hearing the evidence are of opinion that the Prisoner (Green) is guilty of desertion and under the 1st Article of the 6th Section of the rules & Articles of War, do Sentence him to receive 100 lashes at five different times, and to suffer such Stoppages of his pay as may reimburse the United States for all reasonable expences that may have accured in the pursuit and apprehension of him. —

John Thompson Private of the Dragoons charged with "Deserting from this post on the 13th of December 1800."

To the charge the Prisoner pleads not guilty. —

The Court after consideration, are of opinion that the Prisoner (Thompson) is guilty of Desertion, and under the 1st Article of the 6th Section of the rules & Articles of War, do sentence him to recieve 100 lashes at five different times, and to suffer such Stoppages of his Pay, as may reimburse the United States for all reasonable expences incurred in the pursuit of him. ——

The Commdt. approves & confirms the foregoing Sentences pronounced by the Court Martial which sat yesterday and of which Major Bradley is President

on Jesse Green of Capt. Lockwoods Company, and John Thompson of Capt. Balls Troop of Cavalry; and orders the punishment to be inflicted this evening at retreat beating, he further directs that the Pay Master be furnished with the necessary vouchers to make the Stoppages agreeably to the Sentence of the Court.—

The Punishment sentenced by the Court on Laurence, Hamilton & Cameron of Capt. Graysons Company, is remitted; the Comm.dt expects that their conduct will be marked with propriety in future—

The General Court Martial is dissolved and a Garrison Court Martial ordered to sit tomorrow at ten o'Clock, for the trial of such Prisoners as may be brought before it.— The Court to consist of three Officers — the Senior to Preside.—

Sign'd Tho.s Butler
Lieu.t Col.o

Orders. South West Point January 10th. 1801.

Agreeably to the order of Lieu.t Col.o Comm.dt Thomas Butler of the 8th— A Garrison Court Martial convened on the 9th Instant, whereof Capt. Lockwood is President, and after being sworn proceeded to the trial of the following Prisoners, viz.—

Levi Smith & Elijah Merril of Capt. Graysons Company charged with being drunk & Absenting themselves from evening Roll call on the 4th Instant — To the

charge Smith pleads guilty — Meril not guilty —

The Court find the Prisoners Smith & Meril guilty, and under the 4th & 5th Articles of the 13th & 18th Sections of the rules & Articles of War, do sentence each of them to receive fifty lashes. —

Patrick Smith of Capt. Graysons Company charged with "Being intoxicated on parade on the evening of the 4th Instant." — pleads guilty —

The Court find the Prisoner (Smith) guilty and under the 5th Article of the 13th Section of the Rules & Articles of War, do sentence him to receive 25 lashes.

James Roberts of Capt. Lockwoods Company charged with "Being absent from his Quarters during the night of the 2nd Inst. and for being so much intoxicated on the morning of the 3rd Instant, as to be incapable of performing the duty required of him." To the Charge the Prisoner pleads guilty. ——

The Court find the Prisoner (Roberts) guilty, and 2nd & 5th Articles of the 13th & 18th Sections of the Rules & Articles of War, do sentence him to receive 50 lashes.

Sergeant James Kidd of the late Taylors Compy. charged with "Being intoxicated on the evening of the 8th Inst. so much so as to render him incapable of performing his duty. — To the Charge

the Prisoner pleads guilty.

The Court find the Prisoner Kidd, guilty and under the 5th Article of the 18th Section of the rules & Articles of War, do Sentence him to be reduced to a private Sentinel.

Corporal James Nowlin of the Dragoons, charged with "Disobedience of Orders." Pleads not guilty.

The Court find the Prisoner Nowlin, guilty of the charge, and under the 5th Article of the rules & Articles of War, do Sentence him to be reduced to a Private Soldier. ——

The Commdt. approves & confirms the several Sentences of the Court Martial which sat on the 9th Instant, of which Capt. Lockwood is President, and orders the punishments to be inflicted this evening at retreat beating — and the Sergeant and Corporal reduced as Sentenced. The Court is dissolved. ——

Sign'd

Thomas Butler
Lieut. Col. Comdg.

Orders.

South West Point January 15. 1801.

On the recommendation of the Officers of the late Capt. Taylors Company the Commdt. has thought proper to appoint Joseph Walker a Sergeant in the said Company. He is to be respected & obeyed as such.

Sign'd Thomas Butler
Lieut. Col. Comdg.

Order. South West Point January 16th 1801

Corporal William Phillips of Capt. Butlers Company is promoted to the rank of a Sergeant, and John Hunter of said Company is appointed a Corporal vice Phillips promoted, and they are to be respected & obeyed as such.

Sign'd Thomas Butler
Lieut. Col. Comdt. 4th regt.

Orders South West Point January 20th 1801.

A Garrison Court Martial is ordered to sit tomorrow at ten O'Clock, for the trial of such Prisoners as may be brought before it. The Court to consist of three Officers, the Senior to preside. —

Green, Thompson & Swailes are to be released from confinement and ordered to join their Companies.

Sign'd Thomas Butler
Lieut. Col. Comdg.

Orders. South West Point January 21st 1801.

In future the Officer of the day is directed to note in a seperate column in his report of the Guards the No. of days each Prisoner have been confined; the Commdt. further orders, and it is to be considered as a Standing Order untill otherwise revoked, that no man is to recieve Whiskey during his confinement nor untill

the expiration of the Provision return that that may be made during that period, and the Officers commanding Companies are directed to note on the back of their Provision returns the names of each Man of their respective Companies that may be in confinement, noting at the same time the date of Confinement; Due Bills for all such Whiskey as may come within the purview of this order are to be taken by the Quarter Master, which will be disposed of as the Commandants of Posts may direct from time to time. —

The following Prisoners are to be put to labour, under the direction of the Quarter Master until further orders. —

James Johnston
Thomas Johnston
William Johnston
Patrick Burnes
John Kelley

Sign'd
Thomas Butler
Lieu^t. Col^o. Comm^d

Agreeably to the order of Lieu^t. Col^o. Thomas Butler of the 20th Instant, a Garrison Court Martial met whereof Capt. ~~Butler~~ Grayson is President, and after being sworn proceeded to the trial of the following Prisoner vizt.

George Cook of Capt. Grayson's Company charged with Neglect of duty on his post on the morning of the 14th Instant. Pleads not guilty. —

The Court after hearing the evidence are of opinion that the Prisoner is guilty of the charge, and under the 5th Article of the 18th Section of the rules & Articles of War, do sentence him to receive 25 lashes —

Lewis Price of Capt. Graysons Company charged with "Absenting himself from the Garrison without leave on the evening of the 19th Instant". To the charges the Prisoner pleads guilty.

The Court are of opinion that the Prisoner Price is guilty of the charge, and under the 2nd Article of the 6th Section of the rules & Articles of War, do sentence him to receive 100 lashes. —

James Barclay of the late Capt. Taylors Company charged with "Absenting himself from the Garrison on the evening of the 19th Instant and being absent untill the 20th without leave. — To the charge the Prisoner pleads guilty. — The Court are of opinion that the Prisoner is guilty of the charge, and under the 2nd Article of the 6th Section of the rules & Articles of War do sentence him to receive 75 lashes.

Corporal Jacob Gary of the late Capt. Taylors Company, charged with Neglect of duty on the river Guard in suffering a Citizen to sell Whiskey to the Soldiers contrary to a Standing order of the Garrison and with suffering one of his Guard to be drunk

and not reporting it to the Officer of the Day, on the 20th. Instant. To the charge the Prisoner pleads not guilty. The Court after hearing the evidence, are of opinion that the Prisoner is guilty of the charge, and under the 5th. Article of the 18th. Section of the rules & Articles of War, do sentence him to be reduced to a private Sentinel and to receive 25 Lashes. ——

John Livingston of the late Capt. Taylors Compy. charged with "being intoxicated when on Guard on the 20th. Instant." To the Charge the Prisoner pleads not guilty. —

The Court are of opinion that the Prisoner is guilty of the charge, and under the 5th Article of the 18th Section of the rules & Articles of War, do sentence him to receive twenty five Lashes

Peter McClusky of Capt. Graysons Company charged with "being drunk on Guard, so much so as to be incapable of doing his duty, on the 20th instant".

To the charge the Prisoner pleads guilty. —

The Court find the Prisoner guilty of the charge and under the 5th Article of the 18th Section of the rules & Articles of War, do sentence him to receive 50 Lashes

Jeremiah Hamilton of Capt. Graysons Company charged with, "Absenting himself from this Garrison without leave on the night of the 14th instant, &

going to Kingston. To the charge the Prisoner pleads not guilty. —

The Court are of opinion that the Prisoner (Hermitton) is guilty of the charges, and under the 2nd Article of the 6th Section of the rules & articles of War, do sentence him to receive 75 Lashes. —

The Commandant having maturely ~~considered~~ examined the Proceedings of the foregoing Court Martial, approves & confirms the several Sentences of the same, and orders the Punishments to be inflicted, at retreat beating this evening, except the Punishment of George Cook, which he remits, as a probability exists that the said Cook might have misunderstood the Orders which he received from the Corporal, the Commdt. also in consideration of the inexperience of Corporal Gary remits the Corporal punishment as sentenced by the Court. — And that no excuse in future may be offered for a neglect of duty, the Officer of the day will be held responsible that the Sentinels have received the proper Orders. as it is their duty to examine the Sentinels to see that the orders which he gave the Sergeant of the Guard, has been properly communicated to them

Signed Thomas Butler
Lieut. Col. Commdt.

Orders

South West Point January 24th. 1801.

The following Prisoners are to be released at retreat beating this afternoon, viz. — Wm Johnston, Ths. Johnston, James Johnston, Robert Burns, John Kelly, George Cook — John Livingston, Jacob Garey, Jeremiah Hamilton and Lewis Price, and are to join their respective Companies.

The practice of keeping dogs in a Garrison is a bad One, the disgusting manner in which the parade and ravelins are abused, must strike the eye of every Officer; to prevent this abuse the Commandt. forbids dogs being kept in Companies, and he will hold the Commandants responsible that this order is not infracted. — Gentlemen who wish to keep dogs will see the propriety of keeping them detached from the Garrison, at least to cause their Waiters to put them out at retreat beating —

The Quarter Master will point out a place to erect houses for the Poultry of the Company Officers, and for the Companies, should the Officers deem the latter necessary. those in the front Garden are to be removed as soon as the weather will admit. —

Signd

Thos. Butler
Lieut. Col. Commg.

Orders. South West Point January 30th 1801.

Major Bradley will muster & inspect the Troops at this Post tomorrow at eleven O'Clock in the forenoon, the Cavalry are to parade without horses on the right of the Infantry, and when mustered are to return to their Cantonment and prepare their horses & equipments for inspection at whatever hour the Major will direct

The Well diggers are not to be taken off work. —

Signd Thos. Butler
Lieut. Col. Comdt.

Orders. South West Point February 8th 1801.

One Sergeant and twenty Privates for fatigue tomorrow, six of whom are to be axemen. the regimental Quarter Master will point out the duty that they are to perform.

The Wood Cutters are to be taken off untill further orders. — Signd — Thomas Butler
Lieut. Col. Commg.

Orders. South West Point February 18th 1801.

A Garrison Court Martial is ordered to sit immediately for the trial of James Markham of the Cavalry — The Court to consist of One Captain and two Subalterns — the Captain to Preside — Evidences to attend as also an orderly Sergeant.

Signed Thomas Butler
Lt. Col. Comg.

After Orders. Agreeably to the orders of Lieut. Col. Comm^dt. Butler of this day a Garrison Court Martial met whereof Capt. Lockwood is President and after being sworn proceeded to the trial of James Markham of Capt. Balls Troop of Dragoons charged with "Absenting himself from the Cantonment after tattoo when on the sick report, and bringing Whiskey to Camp on the evening of the 2nd Instant." To the charge the Prisoner pleads not guilty —

The Court after hearing the evidence are of opinion that the Prisoner is not guilty of the charges exhibited against him and therefore do acquit him.

The Comm^dt. approves the foregoing sentence of the Court, and orders Markham to be released from confinement, and ordered to join his Company. —

Sign'd
Thos. Butler Lieut. Col^o.

Orders South West Point February 20th. 1801.

A General Court Martial is ordered to sit this day at eleven O'Clock for the trial of George Holder & John Huggins Soldiers in Capt. Butlers Company — The Court to consist of 5 Officers — the Senior to Preside — Lieut. Salmon to act as Judge Advocate — An orderly Sergeant to attend the Court

Signed Thos. Butler Lt. Col. Comg. in Tennessee

Orders —   South West Point Feby 22nd 1801

Major Bradley Captains Butler & Lockwood, Lieuts Swaine, Bowman, and Porter with the Surgeon Doctor Phillips are appointed a Jury of Inquest to examine & state the cause of the death of Thomas Barnet — They are to call for such Witnesses as the nature of the case require. —

Signd Thos. Butler
Lieut. Col. Commg.

Orders.   South West Point February 25th 1801.

In conformity to the order of Lieut. Col. Commdt. Thomas Butler, a General Court Martial whereof Captain Lockwood is President, assembled and after being sworn proceeded to the trial of the following Prisoners.

George Holder Private in Capt. Butlers Company charged with "Leaving his Post on Sentry in the night of the 13th Instant, quitting his Musket & going to Sleep in One of the Piazzas.

To the charge the Prisoner Pleads not guilty. —

John Huggins of Capt. Butlers Company charged with "Sleeping on his post on the night of the 10th Instant." To the charge the Prisoner guilty. —

The Court are of opinion that Holder is guilty of the charge exhibited against him (except going to sleep in one of the Piazzas) - and that Huggins is guilty - They sentence each of them under the 6th Article of the 13th Section of the rules & Articles of War to receive 100 Lashes.

The Commandant approves & confirms the ~~within~~ Sentence of the Court Martial as pronounced on John Huggins & George Holder Soldiers in Capt. Butlers Company, and orders the Punishment to be inflicted at the Post of Tellico at such time & place as the Commdt. of the Post may direct - The Court Martial is dissolved -

Signd Thos. Butler
Lieut. Col. Commg.

Orders. South West Point February 27th. 1801

Major Bradley will muster & inspect the Troops at this Post tomorrow at as early an hour as he can with convenience. The fatigues are to be warned as usual, and are to be called out immediately after Inspection -

Signd. Thos. Butler
Lieut. Col. Commg.

Orders.   South West Point March 1st 1801.

A Garrison Court martial is ordered to convene tomorrow at ten O'Clock for the trial of Sergeant James Clark, Morgan Coloty & Moses McCarley of the Cavalry; also Corporal William Crisman, Bernard Cameron and Jeremiah Biddlecomb of the Infantry — the Court to consist of one Captain & four Subalterns, one of which is to be from the Cavalry — the Captain to Preside — An orderly to attend the Court.

Morris Brashiers & James Kidd are to be warned for daily duty and to be under the direction of the Quarter Master untill further orders.

Sign'd
Thos Butler
Lieut. Col. Comm'g.

Orders.   South West Point March 2nd 1801.

Agreeably to the order of Lieut. Col. Thomas Butler of the 1st Instant, a Garrison Court Martial met whereof Capt. Grayson is President. The Court after being sworn proceeded to the trial of the following Prisoners —

Sergt. James Clark of the Dragoons charged with Intoxication on the night of the 25th of February when called upon to call the Troop roll. To which charge the Prisoner pleads guilty.

The

Court are of opinion that the Prisoner Sergeant Clark is guilty of the charge exhibited against him, and under the 5th Article of the 18th Section of the rules & Articles of War, do Sentence him to be reduced to a Private Sentinel. —

Moses McCarley & Morgan Eddy of the Dragoons charged with "Being absent from their Squads after Tattoo on the night of the 25th of February". To which charge the Prisoners Plead guilty.

The Court find the Prisoners McCarley & Eddy Guilty of the charge, & under the 2nd Article of the 6th Section of the rules & Articles of War do sentence each of them to receive twenty five lashes.

Corporal William Crisman of the late Captn. Taylors Company charged with "being drunk & absent from parade on the evening of the 19th. of February". To which charge the Prisoner pleads guilty. —

The Court find the Prisoner Corporal Crisman guilty of the charge & under the 4th Article of the 13th Section and 5th Article of the 18th Section of the rules & Articles of War do sentence him to be reduced to a Private Sentinel. —

Jeremiah Biddlecomb of Capt. Graysons Company charged with "being drunk on parade on the evening of the 28th of February." To which charge the Prisoner pleads guilty. The Court are of opinion that the Prisoner is guilty of the Charge & under the 5th Article of the 13th Section of the rules & Articles of war, do Sentence him to receive 50 lashes. —

Bernard Cameron of Capt. Grayson's Company charged with "Being drunk when a Sentinel on his post on the evening of the 1st Instant". To the charge the Prisoner pleads guilty. The Court find the Prisoner Bernard Cameron guilty of the charge & under the 5th Article of the 13th Section of the rules & Articles of War do sentence him to receive 100 Lashes.

The Commdt. approves & confirms the foregoing Sentences but from circumstances is induced to pardon the Prisoners, and restores Sergeant Clark and Corporal Crisman. He orders them to be dismissed & join their Companies. —

Signd Tho. Butler
Lt Colo.

Orders. South West Point March 11th 1801.

Jeremiah Hamilton, Bernard Cameron, Joseph Kenny, Angus Bouye, Thomas Barnett, Lewis Smith & Patrick Smith, Prisoners now under guard, are immediately to be put under the direction of the Quarter Master, who will employ them in cutting down & taking up such Stumps in the lane as he may deem necessary, they are to be kept on that duty untill further orders and are to be returned to the Guard house at all hours when not at Work.

Signd — Tho. Butler Lt Colo.
Commdr.

After Orders — March 11. 1801.

Lieutenant John Campbell of the 4th Regiment is to take command of Capt. Balls Troop of Cavalry untill further orders.

Sign'd

Thos. Butler
Lieut. Col. Comm.dg

Orders. Fort West Point March 13th 1801.

Untill further orders the duty is to be done in the following manner viz.t the details are to be taken from two Companies the other excused, and so alternately; Captain Lockwoods Comp.y having had the tour this day, Capt. Graysons Company is to be excused tomorrow except such as are under the direction of the Quarter master who are to remain as usual except the Prisoners at labour who are once more pardoned & ordered to join their Companies. The Comm.d.t expects that this will enable the Officers to get their mens gardens in forward —ness—

Sign'd

Thos. Butler
Lieut. Col. Com.dg

Orders. South West Point March 22d. 1801

Sergeant Simon Levy of the 4th Regiment having been appointed a Cadet in the Corps of Artillerists and Engineers, by order of the President of the United States he is therefore to be respected as such.

Corporal John F. Ellinger of Capt. Lockwoods Company is ~~appointed~~ promoted to the rank of a Sergeant and is to be held on the rolls as such from the 2nd Instant. Joseph Doughety of said Company is appointed a Corporal vice Ellinger promoted, and is to be respected as such, and mustered from the 2nd Instant. —

Signd
Thos. Butler
Lt. Col. Comdg

Orders. South West Point March 24th. 1801.

A Garrison Court Martial is ordered to convene this day between the hours of ten ~~& eleven~~ oClock for the trial of the Cavalry Prisoners now in confinement. — The Court to consist of three Officers, the Senior to Preside. An orderly to attend the Court.

Signd Thos. Butler Lt. Col. Comdg

Orders. South West Point March 25. 1801.

In conformity to the order of Lieut. Col. Comm^d. Thomas Butler, a Garrison Court Martial convened yesterday, whereat Capt. Benjn. Lockwood presided, and after being duly sworn proceeded to the trial of the following Prisoners. vizt.

Thomas Godfrey of Capt. Balls Troop of Dragoons charged with "Being drun while a Sentinel on his Post on the 17th Instant". To the charge the Prisoner pleads not guilty.

The Court find the Prisoner Godfrey not guilty of the charge exhibited against him, and do therefore acquit him. —

James Nowlin, James Markham, Moses McCarty, David Crawford & Christopher Ellis of the same Troop were brought before the Court charged with "Absenting themselves from the Dragoon Cantonment on the night of the 21st. Instant without leave". To the charge the Prisoners severally plead guilty.

The Court find the Prisoners severally guilty, and do sentence each of them, under the 2^d. Article of the 6th Section of the rules & Articles of War to receive 50 lashes

The Commandant approves & confirms the foregoing sentences of the Court Martial as pronounced upon Nowlin, Markham, McCarty, Crawford & Ellis, and orders the punishment to be inflicted this evening at retreat beating; The Cavalry are to be under Arms at the same time

(without horses) and marched to the Place of punishment — the punishment being inflicted the Prisoners are to be Returned to the Guard house for further orders, except Thomas Godfrey who is to join his Company. —

Painful as it is to the Commdt. to see the Soldiers under his Command punished, yet duty will at all times govern his conduct, for when Men will not refrain from infracting the Laws which they have solemnly sworn to obey, consequently they have none but themselves to blame for the disgrace of punishment. —

Signd.
Thos. Butler
Lieut. Col. Commdg.

Orders. South West Point March 26. 1801.

The late Capt. Taylors Company having fallen to Capt. Francis Johnston by promotion, he is directed to take command of the same, and muster it as his Company from the 1st. Instant. — The Dragoons who were punished last evening are to be released from confinement and ordered to join their Company. —

Signd
Thomas Butler
Lieut. Col. Commdg.

Orders. South West Point March 29. 1801.

The Sentence as confirmed by the General order of the 28th Ultimo is to be put in execution agreeably to the approval; and to commence this evening at retreat beating, and continue each succeeding evening until the whole is inflicted. —

Sign'd
Thomas Butler
Lt. Col. Comd'g

Orders. South West Point March 30th 1801.

Major Bradley will muster and Inspect the troops at this Post tomorrow at as early an hour as he can make it convenient, the Infantry first, as the Adjutant is ordered to on command, the Cavalry at such an hour afterwards as he may direct. — Sign'd Thomas Butler
Lt. Col. Comd'g

Orders. South West Point April 7th 1801.

The Commanding Officers of Companies are directed to cause the public tools of every denomination (that may be in their respective Companies) to be returned to the regimental Quarter Master this day at twelve O'Clock, it is expected that this order will be strictly complied with and that the Officer Commanding the Cavalry will consider it equally obligatory on him. — A Garrison Court Martial will convene at ten O'Clock for the trial of Basham & Smelly of

the Cavalry — the Senior Officer to preside — An orderly Sergeant from the Cavalry to attend the Court —

Signd

Thos. Butler
Lt. Col: Comdt.

After Orders.

In order to enable the Deputy and regimental Quarter Master to adjust their quarterly returns to comport with the General order of the 30th of November 1800, it becomes necessary that the Regimental Quarter Master should deliver to Lieut. Joseph Bowman Deputy Quarter Master all public Stores in his charge, denominated Quarter Masters Stores, except such as are necessary for the use of the Troops at the several Posts in the State of Tennessee, which will consist of Tents, Kettles, Axes, Picks, Spades, Shovels & Iron Wedges. which are to be apportioned as follows — For each Company detached 6 Axes, 4 Spades, 4 Shovels, 4 Picks, 2 Iron Wedges with the usual allowance of Camp Kettles, and tents as may be directed from time to time, to the Troop of Cavalry & Troops at this Post as may be directed by the Commdt. and necessity require, which Articles are to appear on their Inspection returns; all other Stores (Denominated Q.Mr. Stores) are hereafter or untill otherwise directed to be considered as in the charge of the Deputy Quarter Master, and to whom the Comds. of Detached Posts will be held responsible; and they are directed to send Quarterly returns to him of all

such Stores as may be in their charge at the Stated periods. —

Ordnance & Military Stores are not to be blended with those of the Quarter Master, but are to be forwarded in seperate returns addressed to Lieut. & Quarter Master Swaine who charge of the Military Stores in Tennessee.

Signd

Thos. Butler L. Col.
Comd. in Tennessee

Additional After orders. —

In conformity to the order of Lieut. Col. Commdt. Butler of this day a Garrison Court Martial convened whereof Capt. Grayson was President — the Court after being sworn proceeded to the trial of

Andrew Basham of the Cavalry charged with "Neglect of duty by Sleeping on his Post on the night of the 30th of March 1801. To the charge the Prisoner pleads not guilty.

The Court find the Prisoner guilty of the Charge as exhibited against him and do sentence him under the 6th Article of the 13th & Section & 5th article of the 18th Section of the rules & Articles of War to receive Seventy five lashes. —

John Smiley of the Cavalry was brought before the Court charged with "Absenting himself from the Dragoon Cantonment on the evening of the 1st Instant without leave".

The Court find the Prisoner Smiley guilty of the charge as exhibited against him, and do sentence

him under the 2nd Article of the 6th Section of the rules and Articles of War to receive 50 lashes. ___

The Commandant approves & confirms the foregoing Sentences but is induced to Pardon Andrew Barham from the appearance of indisposition that arose in the course of evidence, but as it is an improper plea for a Soldier to make for neglect of duty, he directs that it shall not be considered as a precedent, or proper, as the duty of a Sentinel is, if taking sick to make it known, and be regularly relieved — The Commdt orders the Punishment of John Smily to be inflicted at retreat beating, the Troop to attend the Punishment, after which Barham & Smily are to be released —

Signd

Thos Butler
Lieut. Colo Comd.

After Orders.

The Commandant has thought proper to remit the punishment of John Smily of the Cavalry, he flatters himself that his conduct will merit this indulgence.

Signd

Thos Butler
Lt. Colo —

Orders

South West Point April 14th. 1807.

A Garrison Court Martial to consist of three Officers will convene this morning at 10 o'clock for the trial of such Prisoners as shall be brought before them — The senior Officer will preside — One of the members to act as Judge Advocate. —

Sign'd Danl. Bradley
Major Comm^g.

After orders.

At the Garrison Court Martial held this day whereof Capt. Benjn. Lockwood is President was tried Daniel Minard a Private of Capt. Balls troop of Light Dragoons charged with "Absenting himself from the Dragoon Cantonment on the night of the 6th. Instant and not returning 'till the 7th." To which charge the Prisoner pleads guilty. —

The Court find the Prisoner Daniel Minard guilty of the charge against him, and under the 2^d. Article of the 6th. Section of the rules & Articles of War do sentence him to receive fifty lashes. —

David Crawford a Private of Capt. Balls Troop of Light Dragoons was also tried by the same Court charged with "Absenting himself from the Dragoon Cantonment on the night of the 8th. Instant without leave" — To which charge the Prisoner pleads guilty. —

The Court find the Prisoner guilty of the charge and under the 2^d Article of the 6th section of

the rules & Articles of War do sentence him to receive 50 lashes. —

Solomon W. Jones of Capt. Balls Troop of Light Dragoons was also tried by the Same Court, charged with "Stealing Public Salt which was drawn for the Cavalry horses" — The Prisoner pleads not guilty. —

The Court are of opinion that the Prisoner is not guilty, and acquit him. —

Patrick Smith of Capt. Graysons Company was tried, charged with "Being drunk on guard this day" to which charge the Prisoner pleads not guilty.

The Court find the Prisoner guilty of the charge, and under the 5th. Article of the 13th Section of the rules & Articles of War, do sentence him to receive 75 lashes. —

The Commanding Officer confirms the foregoing Sentences of the Court Martial against Danl. Minard & David Crawford of the Dragoons, and Patrick Smith of the Infantry, and directs that the Punishment take place at this evening roll call — After which the Prisoners tried this day will join their Companies. —

Signed Danl. Bradley
Maj. Comdg.

Orders

South West Point April 16. 1801.

A Garrison Court Martial consisting of three Officers will convene this morning at ten O'Clock, for the trial of Jacob Gary a Soldier of Capt. Johnston Company - The Senior Officer will Preside - One of the members will act as Judge Advocate

Signé Davd. Bradley
Major Comdg

After Orders

At a Garrison Court Martial held this day whereof Capt. Grayson is President, was tried

Jacob Gary charged with being Intoxicated on guard on the 15th. Instant - To which charge the Prisoner pleads not guilty.

The Court after hearing the evidence are of opinion the Prisoner is not guilty of the charge, & do acquit him. —

The Commanding Officer confirms the opinion of the Court, and directs that Jacob Gary of Capt. Johnston Company, Robert Moony, John Hassel & Bernard Cameron of Capt. Grayson Compy. be released from confinement at this evening roll call, and return to duty — The Court Martial whereof Capt. Grayson is President is dissolved —

Signé Davd. Bradley
Major Comdg

Orders. South West Point 19th. April 1801

Lieut. Gabriel Jones will take charge of and do duty in Capt. Graysons Company 'till further orders.

Sign'd Daniel Bradley
Major Commanding

Orders. South West Point April 24. 1801.

The Troops are to parade at four O'Clock in the afternoon to attend the funeral of their deceased brother Soldier — The men employed as Gardners are to join their respective Companies immediately and do duty as usual. —

Sign'd Thos. Butler
Lieut. Col.

Orders. South West Point April 27. 1801.

Major Bradley will exercise the Troops at this Post in Battalion, tuesdays, fridays & Sundays, and the Captains or Officers Commanding Companies, by Companies one hour every morning of the days on which they are not exercised in Battalion — The Commdt. flatters himself that the Officers will exert themselves in preparing the Troops to act with those they may be United with — Major Bradley will muster & inspect the Troops at South West Point

on the 30th Instant ——

Sign'd

Thos. Butler
Lieut. Col. Comg.

Garrison Orders

South West Point April 29. 1801.

The Troops at this post will parade tomorrow morning at six o'Clock for Muster & Inspection. — The Music will practise two hours every day untill further orders, when exercise does not interfere, from 9 to 10 o'Clock in the forenoon and from 4 to 5 in the evening, and are to regulate the time agreeably to the Barom —. They are to be under the direction of the Adjutant who will point out some convenient place for practice. —

Sign'd

Danl. Bradley
Major Commdg.

Orders

South West Point May 2nd 1801.

For command tomorrow (without Arms) One Subaltern Officer, One Sergeant, two Corporals and twenty four Privates — they are to be in readiness to march at Reveille, with two days Provisions — One Corporal & Six Privates are to be detailed from the Dragoons — the Officer will receive his orders this evening —— Sign'd

Thos. Butler
L. Col. Comg.

Orders

South West Point May 4th 1801.

A Garrison Court Martial is ordered to sit this day at ten o'clock for the trial of such Prisoners as may come before them. The Court to consist of three Officers, the Senior to preside — An orderly Sergeant to attend the Court.

Sign'd Thos Butler
Lieut. Colo. —

Orders.

South West Point May 6th 1801.

In conformity to the orders of Lieut. Colo. Comdt. Thomas Butler a Garrison Court Martial convened on the 4th Instant, whereof Capt. Francis Johnston is President.

The Court after being sworn proceeded to the trial of the following Prisoners — viz. —

Sergeant Robert James of Capt. Graysons Company charged with "Making use of impertinent language to Capt. Grayson, and for disobedience of his orders, on the 28th of April 1801." — To the charge the Prisoner pleads not guilty. —

The Court after hearing the evidence adduced, are of opinion that Sergt. Robert James is guilty of the charge as exhibited against him, and do sentence him under the 5th Article of the 18th Section of the rules & Articles of War to be reduced to a Private Sentinel. —

Thomas Davis of Capt. Graysons Company charged with "Being drunk, rioting and striking Corpl

Craycroft on the 28th of April 1801 — to the charge the prisoner pleads not guilty. —

The Court after hearing the evidence adduced, are of opinion that the Prisoner Thomas Davis is guilty and sentence him under the 5th Article of the 2nd Section of the rules & Articles of War, to receive fifty Lashes. —

Chatton Dogged of Capt. Lockwoods Company charged with "Absenting himself from this Garrison without leave on the evening of the 2nd of May 1801. to the charge the Prisoner pleads guilty. —

The Court are of opinion that the Prisoner (Dogged) is guilty, and do sentence him under the 2nd Article of the 6th Section of the rules & Articles of War to receive 50 Lashes. —

Corporal John Woodrum of the Dragoons, charged with "Rioting and fighting with a Soldier on the night of the 28th of April 1801" to the charge the Prisoner pleads not guilty. The Court are of opinion that the Prisoner Corporal Woodrum is guilty of the charge, and sentence him under the 5th Article of the 18th Section of the rules & Articles of War to be reduced to a Private Sentinel. —

Charles Culin of the Dragoons, charged with absenting himself from the Dragoon Cantonment on the night of the 29th of April 1801 without leave, and not returning untile the evening of the 30th. —

To the charge the Prisoner pleads guilty. —

The Court are of opinion that the Prisoner (Bulkin) is guilty, and do sentence him under the 2nd Article of the 6th Section to receive 50 Lashes.

James Conner of the Dragoons charged with "Being drunk on guard on the 1st of May 1801" — To the charge the Prisoner pleads not guilty.

The Court are of opinion that the Prisoner (Conner) is guilty and under the 5th Article of the 13th Section of the rules & Articles of War do sentence him to receive 50 lashes. —

William Swift of the Dragoons charged with "Speaking disrespectful of Lieut. Campbell on the 30th of April 1801" — To the charge the Prisoner pleads guilty.

The Court after hearing the evidence adduced, are of opinion that the Prisoner (Swift) is guilty of the charge as exhibited against him, and do sentence him under the 5th Article of the 18th Section of the rules & articles of War to receive 100 Lashes. —

The Commandant approves and confirms the foregoing sentence of the Court Martial whereof Captain Francis Johnston is President, and orders them severally to be put in execution this evening at retreat beating except the sentence pronounced on Corporal Woodrow, which he remits from this consideration only, that it appears from

the Testimony of John Strother that the Conduct of Corporal Woodrum in the 1st instance was proper, but that he deviated widely in the Second, is only too manifest, yet as some circumstances of Aggravation on the part of Welsh appears, who was the first aggressor, the Commdt. restores Corporal Woodrum to his situation in the Troop, and expects that this kind of conduct of Non Commissioned Officers trifling with the men, will never more come before come before him.—

Swift, Dogged, Conner and Davis are to be returned to the Guard house after punishment until further orders. Jones, Curlin and Woodrum are to join their Companies— the Court martial is dissolved—

Sign'd Thos. Butler
Lieut. Col. Commdg

Orders. South West Point May 8th 1801.

A Garrison Court Martial is ordered to sit this day at ten O'Clock for the trial of such Prisoners may come before them— the Court to consist of three Officers—the Senior to Preside— An orderly Sergeant to attend.— Davis, Dogged, Conner and Swift are to be released from confinement at evening roll call & ordered to join their Companies.—

Signed — Thos. Butler L. Col. Commdg

Order. South West Point May 9th 1801.

Agreeably to the order of Lieut. Col. Commandt. Thomas Butler a Garrison Court Martial met on the 8th Instant whereof Capt. Lockwood is President. —

The Court after being sworn proceeded to the trial of the following Prisoners. —

Thomas Barnet of Capt. Graysons Company charged with "Being absent from roll call, and after tattoo without leave, and with going to Kingston without leave on the evening of the 4th Instant."

To the charge the Prisoner pleads guilty. —

The Court find the Prisoner (Barnet) guilty of the charge and under the 2nd Article of the 6th Section & 4th Article of the 13th Section of the rules & Articles of War do sentence him to receive 75 lashes. —

James Graydon of Capt. Graysons Company charged with "Being drunk & absent from roll call on the evening of the 6th Instant. To which charge the Prisoner pleads guilty. —

The Court are of opinion that the Prisoner (Graydon) is guilty of the charge and under the 4th Article of the 13th Section & 5th Article of the 18th Section of the rules & Articles of War, do sentence him to receive 50 lashes. —

Bernard Cameron of Capt. Graysons Company charged with "Absenting himself from the Garrison without

leave on the 6th Instant". To which charge the Prisoner pleads guilty. —

The Court find the prisoner (Cameron) guilty of the charge, and sentence him under the 2nd Article of the 6th Section of the rules & Articles of War to receive 60 lashes.

Augustus Millinsock of the Dragoons charged with rioting and insolence to Lieut. Tharp on the 1st instant". — The Prisoner pleads not guilty. —

The Court after hearing the evidence are of opinion that the Prisoner (Millinsock) is guilty of the charge and do sentence him under the 5th Article of the 18th Section of the rules & articles of War to receive 100 lashes. ———

Michael Carrol of the Dragoons, charged with "Being drunk on his Post as a Sentinel, on the 1st Instant". — To the charge the Prisoner pleads not guilty. The Court are of opinion that the Prisoner (Carrol) is guilty of the charge, and under the 5th Article of the 13th Section of the rules & Articles of War, do sentence him to receive 175 lashes. —

The Commandant approves & confirms the foregoing sentences, but is induced to pardon Barnet, Graydon, Cameron & Carroll, for altho' their conduct has been of such a nature, as to merit the severest punishment, he will see yet whether they have as

much honor left as will stimulate them to act up to the promises that they have severally made. He orders the punishment to be inflicted on Millinsock at evening parade — The Cavalry to attend — The Prisoners to be released.

Sign'd

Thos. Butler
Lieut. Col. Commg.

Orders. South West Point May 12. 1801.

Conformably to the General Order of the 23rd of March 1801. the Subaltern Officers of the 1st Battalion of the 4th Regiment are arranged as follows

To the 1st Company — Captain Butler
2nd Lieut. Edmund P. Gaines. —

To the 2nd Company — Capt. Lockwood.
1st Lieut. Gabriel Jones
2nd Lieut. James Cunningham.

To the 3rd Company — Capt. Grayson —
1st Lieutenant Joseph Bowman
2nd Lieut. — Richd. Buck

To the 4th Company Capt. Purdy —
1st Lieut. — Thomas Easthand
2nd Lieut. — John Hinson —

To the 5th Company — Capt. Johnston —
1st Lieutenant — John Campbell.

The Officers as above arranged are to be mustered in their respective Companies for the Present Month with the necessary remarks where transfers have taken place —

Sign'd
Thomas Butler
Lieut. Col. 4th Regt

Orders — South West Point May 14th 1801

The order of the 12th Instant is suspended untill further orders. — S.d Thos. Butler
L. Col. Comdg

Orders. South West Point May 19. 1801.

A Garrison Court Martial is ordered to convene at eleven O'Clock this morning for the trial of Sergeant Davis, James Graydon, and Christian Andrews — the Court to consist of three Officers — the Senior to Preside —

Sign'd
Thomas Butler
L. Col. Comdg

In conformity to the order of Lieut. Col. Commdt. Thomas Butler of this day, a Garrison Court Martial convened whereof Captain Lockwood is President, and after being Sworn proceeded to the trial of the

following Prisoners—

Sergeant John Davis of Captain Graysons Company charged with "Rioting, and conduct unbecoming a Non Commissiond Officer on the 16th of May 1801. To the charge the Prisoners pleads not guilty.

The Court after hearing the evidence adduced are of opinion that the Prisoner (Davis) is guilty of the charge as exhibited against him, and under the 5th Article of the 18th Section of the rules & Articles of War do sentence him to be reduced to a Private Sentinel.—

James Graydon of Capt. Graysons Company charged with "Being absent from evening roll call, & for going to Kingston without leave on the 16th Inst."

To the charge the Prisoner pleads guilty.—

The Court find the Prisoner (Graydon) guilty of the charge as exhibited against him, and under the 2nd Article of the 6th Section & the 4th Article of the 13th Section of the rules & Articles of War, do sentence him to receive 75 lashes.—

Christian Andrews of Capt. Graysons Company charged with "Going to Kingston on the 16th of May without leave". To the charge the Prisoner pleads guilty.

The Court find the Prisoner (Andrews) guilty of the charge as exhibited against him,

and do Sentence him under the 2nd Article of the 6th Section of the rules & Articles of War to receive fifty lashes.

After Orders —

The Commandant approves & confirms the foregoing Sentences and orders them to be put in execution this evening at retreat beating — After punishment Graydon & Andrews are to be returned to the Guard house. —

Signd Thos Butler
Lieut. Col. Commg &c

Orders South West Point May 21st 1801.

Lieutenant Campbell is directed to move the troop of Dragoons into this Garrison tomorrow at ten o'Clock — Lieut. & Quarter Master Swaine will assign him the Quarters for the Company —

Signd Thos Butler
Lt. Col. Comg

Orders. South West Point May 22nd 1801.

An additional Guard of a Corporal & six men is to be warned for duty tomorrow — The Commandant will direct the Officer of the day as to their Station; the Cavalry to be detailed untill further orders. —

One Corporal and twelve Privates of the Cavalry are to parade for fatigue at three o'clock this afternoon — Lieut. Swaine will give them their directions —

Sign'd — Tho.s Butler
Lieu. Col.o Comm.g

Orders

South West Point May 23rd 1801.

The Quarter Master will retain Kenny, Crouse, Huffman & Davis to work at the Boats, they are to hold themselves in readiness to commence tomorrow morning, the residue of the men returned this day from Tellico are to join their respective Companies, but are to be excused from duty tomorrow. — Jacob Sewens of Capt. Lockwoods Company is also to join his Company. —

Corporal Patrick Rogers of Capt. Graysons Co. is promoted to a Sergeant, and John White is appointed a Corporal in said Company; they are to be respected and obeyed as such, and are to be mustered as promoted from the date that Sergeant Jones was reduced. —

Sign'd

Tho.s Butler
L. Col. Comm.g

Orders. South West Point May 27th 1801.

Capt. Johnston will hold himself and Company (artificers excepted) in readiness to fall down the river to Capt. Taylors landing tomorrow morning at ten O'Clock; Lieut. Cartland is to take charge of the Cavalry untill further orders. Lieut. Campbell is to join his Company - Capt. Johnstons Company is not to be detailed for duty tomorrow. - the Guard up Clinch is to be reduced to a Corporal and three Privates. Capt. Johnston is to form his own guards at the landing. —

Thos. Butler
Lieut. Col. Comm'dg.

Orders. South West Point May 29th 1801.

Lieut. George Salmon having solicited permission to resign the appointment of Adjutant to the fourth regiment, he is therefore superseded in the Adjutantcy by the appointment of Lieut. Joseph Bowman, which appointment is to take place on the first of June; and Lieut. Salmon is arranged to Capt. Butlers Company and is to be mustered in the same from the 1st of June next

The arrangement of the Subaltern Officers of the 1st Battalion of the 4th Regiment will stand thus. -
To Capt. Butlers Company, 1st Lieut. George Salmon

To

To Captain Lockwoods, 1st Lieut. Gabriel Jones, and 2nd Lieut. James Cunningham. —

To Capt. Graysons — 2nd Lieut. Edmd. P. Gaines.

To Capt. Purdy's — 1st Lieut. Thomas Eastland and 2nd Lieut. Richard Buck.

To Captain Johnston — 1st Lieut. Jno. Campbell and 2nd Lieut. John Hinson. —

The Troops are to hold themselves in readiness for Muster & inspection on the 31st instant at such hour as Major Bradley may direct, he being the mustering Officer — Capt. Taylor Troop of dismounted Dragoons will be excused from duty tomorrow to give them time to prepare and clean their Arms, after which they are to be detailed —

McPherson, Davis, Huffman & Randolls are to join their Companies. — Bowye, Kenny and Brashins are to remain under the direction of the Qr. Master — the four former are not to be put on duty tomorrow —

Signd. Tho. Butler
Lt. Col.

Orders. South West Point May 31st 1801.

The Cavalry is to furnish the main Guard tomorrow, and the one up Clinch - the Infantry a Corporal and six at the Point. -

Sign'd Thos. Butler
L. Colo.

Orders. South West Point June 1st 1801.

Lieutenant Lee of Captain Taylors Troop of dismounted Dragoons is to relieve Lieut. Castland in the command of Capt. Balls Troop, untile the arrival of the Captain or an Officer autherised to take command.

John Davis of Captain Graysons Co. is restored to the rank of a Sergeant in the same, the Commandant expects that his conduct in future will be marked with more propriety.

The Deputy and Regimental Quarter Masters are to cause the public Stores and Baggage of the Field Staff to be put on board this day; the Captains are to cause the heavy baggage of their Companies put on board also.

Sign'd

Thos. Butler
L. Colo.

After Orders.

South West Point June 1. 1801

Four years have elapsed since your Comman^{dt} was placed in command of the troops destined to serve on the Tennessee frontier, by order of the President of the United States, and on taking a review of the past, it is to him a pleasing reflection that the object of the executive of the United States in sending troops to this quarter has been accomplished, at least as far as the nature of the service would permit, and it must be a source of satisfaction to you Gentlemen Officers, after having performed the duties of a very delicate command, that you leave the State with the esteem of the most respectable and informed Citizens of Tennessee. — In all probability Gentlemen, this will be the last Official order that your Commandant will issue at this post, and he cannot think of leaving the Posts on the Tennessee frontier, which have been erected under his immediate orders, without requesting both Officers & men to accept his thanks for their prompt and zealous exertions in erecting them. And he regrets that they are only to remain as a monument of that exertion which has at all times marked the footsteps of the American Army, and altho' their usefulness has not been taken in to the said general arrangement, it cannot in the least detract from

the merit of the exertions; and he once more tenders his thanks to the Officers & men of his Command, and in a particular manner to the Comm^de. of Tellico, and the Gentlemen of the Staff.

The Troops are to hold themselves in readiness to embark tomorrow at nine O'Clock — the Adjutant is to warn the following Crews this evening. For the Comm^dts. Boat One Sergeant and eight Privates — Major Bradley's One Corp^l. & eight — Staff One Corp^l. & eight — large Horse Boat One Sergeant or Corp^l. & eight — Small ditto nine Privates — Commissary a Sergeant & eight — M^r. Hall nine Privates — the Crew for the Commandants Boat is to come from Capt. Butlers C^o. — the residue from Captains Lockwoods Graysons & Johnstons Companies — and for the ease of Provisioning the men, the Crews are to be taken by Companies as much as possible — the new Guard will be warned from the Infantry as directed in yesterdays order — Capt. Taylor who remains in Command will regulate the Guards after the movements of the troops as he may think proper. ——

The Signal for Sailing will be General Washingtons march beat on board the Comm^dts. Boat at which signal the Boats are to cast off and fall in & proceed in the following order vizt. 1st. Guard Boat with pilot on board — 2nd. Commandants —

3rd

3rd Staff — 4th Capt. Butler — 5th his Company — 6th Capt. Grayson — 7th his Company — 8th 9th 10th, 11th & 12th — 13th Capt. Johnston — 14th his Co. 15th Capt Lockwoods Co. — 16th Capt. Lockwood — 17th Major Bradley. — The Commandant expects that due attention will be paid in preserving order — four men are to be daily warned to attend the Officer of the day — whose duty it will be to pass through the fleet and render assistance where it may be necessary. —

Sign'd

Thos. Butler
Lt. Col. Comm. &

Orders.

Tennessee River June 3rd 1801.

The Troops are to be provisioned as quick as possible, one hour & a half will be allowed for the purpose of Cooking — the Music are to join their respective Companies except Brown & McCauly who are attached to the Comm'ds Boat — the Guard is not to be retired until further orders. — Four men are to be attached to the Large Horse Boat.

Sign'd

Thos. Butler
Lt. Col.

Orders. Shoals Tennessee River June 13th 1801.

The Boats are to proceed as usual, care must be taken should any run aground, those in the rear are to hold back - An Officer is to be on board the Commissarys boat passing any bad Shoal.

Sign'd

Tho.s Butler
Lieu.t Col.

Orders. Shoals June 14th 1801.

The Boats are all to put off when the signal for moving is given they are to fall in in the order heretofore directed, the Officers are particularly to observe when the retreat is beat to put too at an Island where Double Head will direct an Indian to proceed in a Canoe to the place, they are not to mind my Boat as it will keep its Course & not put too. -

S.d Tho.s Butler
L. Col.

Orders Tennessee River June 19th 1801.

The Troops will remain at this place to day in order to give time for the men to have their Clothes washed, & the Boats cleaned, the Officers commanding Companies will pay particular attention to the latter - the Officer of the Day & the Q.r Master are to pay attention to the Boats not attached to Companies. —— Sign'd Tho.s Butler L.t Col.

Orders.

Tennessee River. June 24th. 1801.

A Battalion Court Martial is ordered to sit at ten O'Clock tomorrow on board of Capt. Johnstons Boat for the trial of Corporal Harrison of Capt. Lockwoods Co. the Court to consist of three Officers — the Senior to Preside. — the Officer of the Day is to cause the Prisoner before the Court, and the evidences are directed to attend.

Signd Thos. Butler
Lt. Colonel

Tennessee River June 25. 1801.

In conformity to the order of Lieut. Col. Commandt. Thomas Butler of the 24th Instant a Battalion Court Martial assembled whereof Capt. Butler is President. —

the Court after being sworn proceeded to the trial of Corporal John Harrison of Captn. Lockwoods Company charged with "Being intoxicated & fighting with a Soldier of the same Co. on the 15th Inst." to the charge the Prisoner pleads not guilty. —

The Court find the Prisoner Corporal Harrison guilty of the charge as exhibited against him and by virtue of the power in them vested by the 5th Article of the 18th Section of the rules & Articles of War, do sentence him to be reduced to a Private Sentinel. —

The Commandant

approves and confirms the foregoing sentence of the Court as pronounced on Corporal John Harrison of Capt Lockwood's Company; he is sorry to observe that his conduct was so reprehensible, and surprised to find that he plead not guilty, and made no defence, or offered any cause for urging him to act so improperly — the Commdt thinks proper (from General conduct of Corpl Harrison) to restore him to his former rank, but cautions him to guard against such conduct in future — Corporal Harrison is ordered to be released & join his Company.

Sign'd Thos Butler L. Col.
Comdt 4th Regimt

Orders. O'Hio River June 26th 1801.

The troops are to remain in the present position untill tomorrow, the Commdt expects that the Captains will cause the Arms & Clothing of the men to be put in as complete order as the nature of the situation will admit — the Troops are to have one Gill of Extra Whisky in the evening. —

Sign'd Thos Butler L. Col.
Comdt 4th Regimt

Regimental Orders   Wilkinsonville June 27th 1801.

The Regimental Quarter Master will issue one Harsemans tent to each Company of the 4th Regiment that descended the Tennessee, and twelve Common tents to Butlers Lockwoods & Graysons Companies, and eleven to Captain Johnstons Company — the Captains are to make the necessary preparation for pitching Camp at five O'Clock One Officer to be encamped with each Company — further arrangements will be made tomorrow —. — The Officers are to prevent the men from Stragling

Sign'd Tho.s Butler
Lt. Col. Com.dg 4th. Regt.

Orders.

Ohio River June 28th 1801.

One Subaltern Officer, One Sergeant. One Corporal and twelve Men from each Company are to be warned to parade at eight O.Clock — Captain Purdy's Company is included. —

Sign'd Tho: Butler
Lt. Col. Com.dg 4th. Regt.

Regimental Orders Wilkinsonville 29th June 1801.

John Maher of Capt. Johnston's Company is appointed a Sergeant in the same, and is to be respected and obeyed as such — he is to be held on the rolls as a Sergeant from the 1st Instant. —

The Officers commanding Companies are to send in a return of Sawyers, Blacksmiths Carpenters, in their respective Companies at three O'Clock. —

The 1st Battalion of the 4th Regiment are to prepare for Muster & Inspection on the 1st of July, agreeably to the Detachment order of yesterday — there are to be no regimental fatigues tomorrow — Johnston & Nantine of Capt. Butler's Co. Bowye & Kenny of Capt. Grayson, and John McPherson of Capt. Lockwood's are excepted unless otherwise ordered, who are to continue to finish the Colonel's Quarters

Sign'd Thos. Butler Lt. Col. Comdt.
4th Regiment

Regimental Orders

Wilkinsonville June 30th 1801.

The 1st Battalion of the 4th Regt. is to hold themselves in readiness for Muster & Inspection at Seven O'Clock tomorrow morning on the Battalion parade — Johnston, Nantine, McPherson Bowye & Kenny are not to attend but are to be mustered at the Colonel's quarters.

Sign'd Thos. Butler Lt. Col. Comdt.
4th Regiment

Regimental Orders — July 2nd 1801.

This days orders directs that the two eldest Captains in the Detachment are to perform the duties of Officers of the day in rotation with the Field Officers, Capt. Butler being the Senior Capt. in the Detachment must be contemplated in the order, he is therefore not to be detailed in the Battalion as Officer of police. —

The Adjutant will cause the Musicians to attend as directed in this days orders — the Officer of the day is also to consider himself the police Officer. — The Battalion is to parade tomorrow morning at Troop beating, and resume its usual correctness in attending the morning & evening roll calls —

Sign'd

Thos. Butler L. Col. Comdt.
4th Regimt.

Battalion Orders. July 7th 1801.

A Battalion fatigue is ordered to parade tomorrow morning at such hour as the Drums beat the Pioneers March, none will be excused but such as are on, and warned for duty, and those employed at the Officers' quarters, which are to be reduced as low as possible — the Object is to cleanse the Camp, the Col. expects the usual exertions of the Officers — S. Thos. Butler L. Col.

Regimental Orders. Wilkinsonville July 8th 1801.

Untill further orders the Battalion Camp Guard will consist of One Sergeant, One Corporal and Sixteen Privates, the Officer of the day will receive instructions where the Guard and Sentinels are to be posted.

Sign'd Thos. Butler Lt. Col.
4th Regiment

Regimental Orders Wilkinsonville July 10th 1801

A Battalion Court Martial is ordered to convene at Nine O'Clock this morning for the trial of such Prisoners as may be brought before them - The Court to consist of three Officers - the Senior to preside - An orderly Sergeant to attend the Court.

Sign'd Thos. Butler Lt. Col. Comg.
4th regiment

Agreeably to the Order of Lt. Col. Comdt. Thomas Butler of this day, a Battalion Court Martial convened whereat Capt. Lockwood presided and being duly sworn proceeded to the trial of the following Prisoners - viz

Thomas Randall, Reuben Phillips, James Ford and James Graydon of Capt. Grayson's Company charged with "Aiding and assisting and being concerned in stealing, killing and taking away a Hog, or part of a Hog, supposed to

be the property of some of the Officers of Wilkinsonville on the night of the 8th Instant" — To the charge the Prisoners plead not guilty. —

The Court are of opinion that Randale & Ford are guilty of the charge exhibited against them, it being a breach of the 5th Article of the 18th Section of the rules & Articles of War and do sentence each of them to receive One hundred Lashes. —

The Court do acquit James Graydon & Reuben Phillips

After Orders.

A sense of duty constrains the Comm^de. of the 4th Regiment to approve & confirm the sentences as pronounced on Thos. Randell & James Ford of Capt. Graysons Company by the Battalion Court Martial which convened under the order of this morning, he orders the sentences to be carried into execution this evening at retreat beating — So disgraceful an act he did not expect from a Soldier of the 4th. And as no disgrace can be attached to the Company for the act of which the Prisoners have been convicted, he positively forbids its being mention'd as an insult on the Company — the Prisoners after punishment are to be returned to the Guard. Cameron & Graydon are to be released and ordered to join their Company. —

- Sign'd - Thos. Butler Lt. Col. Com^dt.
4th Regim^t.

Regimental Orders. Wilkinsonville July 12. 1801.

The Officers commanding Companies are to deliver up to the Quarter Master all Picks, Spades, Shovels & damaged Axes, immediately, they are to give in at the same time a return of the Axes fit for use that they have retained

Sign'd Thos. Butler L. Col. —

Regimental Evening Orders. 12th July 1801.

Two Non Commission'd Officers & twenty eight men to parade at Reveille to open a road to the Cantonment of the 4th — Captains Butler & Lockwood will mark the road, and a Subaltern Officer warned to take charge of the party — they are to have such tools as are fit for use in their respective Companies. the residue of the men are to put the remainder of the tools in order. —

Sign'd Thos. Butler L. Col.

Evening Regimental Orders July 14th 1801.

The Standing Fatigue will wait orders for turning out in the Morning, except One Sergeant & three Men from Capt. Lockwoods Co. & 4 men from each of Capts. Grayson, Purdys & Johnstons Companies, who are to have the best fatigue Axes and turn out under the direction of the Regimental Qr. Master, to get Saw Logs — Capt. Butler will furnish the Saw Pit with the men of his Co. — Sd. Thos. Butler L. Col. Comdg.

Regimental Orders   Wilkinsonville July 15th 1801.

The Adjutant is directed to furnish each Captain with a list of the men that have been selected for Battal. fatigue — the Captains are to be detailed to take charge of the Battalion fatigue, at the Cantonment. Capt. Butler to be detailed for that duty. ——

The Sawyers and the party under Sergeant Cowen are to receive their orders from Lieut. & Qr. Master Lucine, and untill further orders the whole is to turn out to work at revillee — taken off at nine, turn out again at half past three, and return home at sun set.

The Colonel expects that the Captains will make proper arrangements for having the mess provisions cooked in proper time.

Sign'd   Thos. Butler Lieut. Col.

Regimental Orders —   Wilkinsonville July 16. 1801.

A Battalion Court Martial of three Officers is ordered to convene at ten O'Clock, for the trial of Sergeant Davis of Capt. Grayson Company — the Senior Officer to preside, and an Orderly warned for the Court. ——

Sign'd   Thos. Butler L. Col.

Additional Regimental Orders   July. 16. 1801.

The Captains of Companies are to cause two sinks to be sunk for the use of their respective Companies one of which is to be within view of a Sentinel, and to be used only between the hours of retreat & Reveillee - the other to be at a much greater distance, to be used in the day. - Each Company will be charged with the duty of keeping them in proper order - The Colonel has not the smallest doubt but that the Company Officers will cause great attention to be observed to so necessary a part of police, - as cleanliness is one great means of preserving health, and he is sensible that every Officer under his Command will contribute to the preservation & comfort of the troops as much as possible.

Sign'd Tho: Butler L. Col.
4th Regimt.

Agreeably to the orders of Lieut. Colo. Commdt. Thomas Butler of this day, a Battalion Court Martial met whereof Lt. George Salmon is President. - the Court being sworn proceeded to the trial of Sergeant John Davis of Capt. Graysons Co. charged with "Obstinately & insolently disobeying the repeated orders of Capt. Johnston in the presence of the soldiers, on the 9th. Instant -" to the charge the Prisoner pleads guilty. -

The Court are of opinion that

the Prisoner is guilty of the charge as exhibited against him, and under the 5th Article of the 18th Section of the rules & Articles of War, do Sentence him to be reduced to a Private Sentinel and receive 25 lashes. —

After Orders —

The Commdt. feels himself distressed to find himself again called upon to confirm the Sentence of a Court Martial reducing Sergeant John Davis to a Private Sentinel, but duty ~~duty~~ compels him not only to approve, but to confirm the Sentence, and order it to be put in execution this evening at retreat beating, except the Corporal punishment which he is induced to remit, at the same time the Commdt. would seriously recommend to Sergt. Davis to have it strongly impressed on his mind that obedience is the first principle of a Soldier, and to endeavour to gain the confidence of his Officers which he has so frequently forfeited — he is to be released & ordered to join his Company. — Sd.

Thos. Butler Lt. Col.
4th Regt.

Regimental Orders — Wilkinsonville July 20th 1801.

The Commdg. Officers of Companies are to cause the tents of the same to be struck immediately and completely cleansed and dried. —

Sd. Thos. Butler
Lt. Col. 4th Regt.

Regimental Orders. Wilkinsonville July 25th 1801.

The 1st Battalion of the 4th Regiment is ordered to be in perfect readiness to parade tomorrow morning at the hour pointed out in the Detachment order of the 23rd Instant — the Colonel expects that every Officer & Soldier able to attend will appear under Arms, in order to receive (with the usual Solemnity) their National Insignia, with which they have been honored by the legitimate Authority of their Country — the Colonel has only to regret the great want of Clothing, yet he expects that every man will appear on the occasion in the best manner possible —

Sign'd Thos. Butler Lt. Col. Comdt.
4th Regimt.

Regimental Orders — July 26th 1801

Captains Lockwood & Purdy are to be excused from Regimental duty untill further orders, they will please take upon themselves the direction of the Boat yard — the Quarter Master will furnish a list of men who are to be employed on that duty only untill otherwise directed. —

Six men from each Company are to parade at the taps to cleanse the Camp, two Non Commission'd Officers to be warned for that duty —

Sign'd Thos. Butler Lt. Col.
4th Regimt.

Regimental Orders — Wilkinsonville July 28th. 1801.

The Colonel expects that due attention will be paid to the order of this day, and that no Non Commission'd Officer or Soldier will leave Camp without his permission, and that they hold themselves in readiness to parade at a moments warning. —

Sign'd Thos. Butler L. Col.
4th regiment.

Regimental Orders Wilkinsonville Aug. 3d 1801.

Conformably to the General order of this date Serg. James Weaver of Capt. Butlers Co. is transfer'd to Capt. Johnston, and Wm Davis of said Comp. is transfer'd to that of Capt. Butler. — and are to be held on the rolls as transfer'd on the 1st. Instant

The Officers of said Companies are directed to make regular transfers of the Clothing &ce —

Sign'd Thos. Butler
Lt. Col. Comdt. 4th Regt.

Regimental Orders. Wilkinsonville Augt 8th 1801

The Guard is to be relieved tomorrow by a Corporal and three Men from Capt Johnstons Compy

The Officers commanding Companies are to give an exact return of the Sick that are to go in the Hospital Boat, and return to the Quarter Master at Seven O'Clock in the morning, all worn out Tents, Axes, Picks & Spades except five Axes to a Company, and any other Articles of public property not held on their Inspection returns. —

Signd Thos Butler
Lieut Colo

Orders. Ohio River August 9th 1801

An Officer and twenty men (with Six Axes) are to be warned to return in the morning at day light to assist the teams up — Signd — Thos Butler L. Col.

Orders. Ohio River August 10th 1801.

The Canoes & Pirogues are to remain with the leading Boats to which they are attached, the Officers will see this order complied with as it is improper for the Canoes to be pressing forward out of their proper places. —

Signd Thos Butler L. Col.

Orders. Ohio River August 11th 1801.

The Perogues of Captains Lockwoods, Graysons and Purdys Companies are to remain untill the Troops arrive and to be governed by such Orders as they may receive from Capt. Lockwood. — the remainder to start immediately. — Sign'd Thos. Butler Lt. Col.

Orders. Mouth of Cumberland River
August 13th 1801.

Lieut. & Quarter Master Swaine will hold himself in readiness to proceed by land to Nashville One Officer will be immediately warned to march such of the Troops as do not proceed by Water — the Adjutant will furnish a list of the Non Commissiond Officers & Privates that march by land, to the Quarter Master who will have 14 days Provisions put up for them, with a proportion of Tents — the Waggons to be loaded as soon as possible, no extra Baggage to be sent by land except what may be for the accommodation of the Officer & Quarter Master. —

The Troops both by land & Water are to be in readiness to move on the Shortest notice — the Command by Land are to encamp by themselves to night, and the Waggons placed near them who are to be in readiness to move at the time the Troops march. —

Sign'd Thos. Butler Lt. Col.
4th Regimt.

Orders. Cumberland River Augt. 19. 1801.

Three Officers are to be warned immediately who are to examine the State of a Barrel of Pork offered for issue last evening — they are directed to make their report in writing to the Commandant.

No Non Commissioned Officer or Soldier is to leave the Boats with Arms at any times of halt, or Stop their Pirogues or Canoes at any house without permission, unless an Officer is with them.

Sign'd Thos. Butler
Lt. Col. Comdt.

Cumberland River Augt. 19th 1801.

Agreeably to the orders of Lt. Col. Comdt. Butler of this date we have examined a Barrel of Pork offered for issue to the Troops last evening, and are of Opinion that the same is not fit for use.

Sign'd Benj. Lockwood Captn.
Peter Grayson Captn.
George Salmon Lt.

After Orders.

The Quarter Master Sergeant will take down the No. of the Barrel abovementioned, and have it put into the river unopened.

Sign'd Thos. Butler Lt. Col. Comdt.
4th Regimt.

Orders. Cumberland River near Nashville
August 24th. 1801.

The Commandt positively forbids any Non Commissioned Officer, Musician or Private to leave Camp without permission he flatters himself that the Soldiers of the 4th will disdain to have attached to them the name of marauders. any who will be hardy enough to violate this order will be punished with severity —

Two days provisions is to be issued this Evening and the Company Baggage put in a situation to preserve it from rain, the Officers will pay particular attention to see this order put in execution —

Sign'd Thos Butler L. Colo

Orders. Camp near Nashville August 25th 1801.

An Officer of the day is to be warned to attend to the Guard & police of Camp. A Sergeant Corporal & twelve Men to mount this morning from the Detachmt which marched under Capt Purdy. —

Lieut & Quarter Master Swaine will lay off the ground for the Encampment and distribute the tents so as to give each Company an equal proportion of good, those which have been formerly in use are to be first issued.

The Officers Comdg Companies are to see the Camp pitched & the Company Baggage taken up as soon as possible —

No non Commissioned

Officer, Musician or ~~Private~~ Soldier is to leave Camp without a written pass sign'd by the Officer Commanding. —

Sign'd Thos. Butler Lt. Col.

Orders — Wilkinsonville August 9th 1801. —

The Officers Commanding Companies are the soonest possible to have the Sick of their respective Companies put on board the Hospital Boat provisioned for four days, with the Crew for the same. A Sergeant & three men from Captains Lockwoods, Graysons & Purdys Companies to be detailed to open the road in front of the Troops their Arms & Accoutrements are to be taken forward by the Companies to which they respectively belong — the Waggons are to take their Knapsacks — they are to be furnished with two Picks & two Spades by the Qr. master, and five Axes by the Companies — The Troops to be ~~in~~ ready ~~for~~ to march at the shortest notice. —

Sign'd Thos. Butler
Lt. Col. 4th Regimt.

Orders. Camp Near Nashville Augt. 30th 1801.

Capt. Butler will muster and inspect the Troops tomorrow at 7 O'Clock. the Officers are to have all their rolls in readiness tomorrow, so as to be given to the Inspecting Officer in the evening.

Sign'd Thos. Butler
Lt. Col.

Order.   Camp near Nashville Sep. 1st 1801.

A Regimental Court Martial is ordered to convene at ten O'Clock this day for the trial of such Prisoners as may come before them. The Court to consist of three Officers — The Senior to Preside. An orderly Sergeant to attend the Court. —

Sign'd   Thos. Butler Lt. Col. Comdt.
4th regimt.

Orders.   September 3rd 1801.

A Subaltern Officer, one Sergeant, one Corporal and twenty Privates to be in readiness to march at four O'Clock in the afternoon.

Sign'd   Thomas Butler
Lieut. Col.

Orders.   Camp near Nashville Sep. 3rd 1801

The General will beat at three O'Clock tomorrow morning at which time the Officers commanding Companies are to cause the Company Waggons loaded with the tents, Sick (such as cant march) and their knapsacks, also the Children that are not able to march — the Officers are to be particular that no improper baggage is transported. — the main Guard is to form the Waggon Guard and the Corporal & six to take

charge of the Prisoners, and constitute the rear Guard.

Capt. Lockwood will command the troops on the march who will receive such instructions from the Commdt. from time to time as may be necessary. It is expected that great attention will be paid on the march to prevent any kind of impropriety.

Sign'd Thos. Butler Lt. Col.

Orders. Camp September 8th 1801.

The Court Martial which sat on the 1st Inst. and where of Capt. Grayson is President is ordered to convene immediately for the trial of James McGonagle and James Thompson.

Sign'd Thomas Butler
Lt. Col. Comdt.

Agreeably to the orders of Lieut. Col. Comdt. Thomas Butler a Regimental Court Martial convened on the 1st Instant, where of Captn. Grayson is President, and after being sworn proceeded to the trial of the following Prisoners. — viz.

John Torneas & Samuel Branthshaw of Capt. Lockwoods Company charged with "Selling a pair of public Shoes, and for stealing and selling nine Handkerchfs. of Mrs. Nugents" — To the charge the Prisoners plead not guilty. —

The Court are of opinion that John Torneas is guilty of selling a pair of public Shoes, they also find

him guilty of selling two Handkerchiefs the property of Mrs Nugent, and under the 12th Section & Article the 3rd and Section the 18th Article the 5th of the rules & Articles of War do sentence him to receive One hundred lashes. — The Court are of opinion that Samuel Brantsham is not guilty of the charge exhibited against him, therefore do acquit him. —

John Loudon & John Sharpenstine of Capt. Butlers Company charged with "Being absent from Camp without leave on the night of the 29th of August". To the charge the Prisoners plead guilty. —

The Court are also of opinion that the Prisoners Loudon & Sharpenstine are guilty of the charge exhibited against them, and under the 13th Section Article the 1st of the rules & Articles of War, do sentence each of them to receive 50 lashes. —

Camp 8th Sept. 1801.

Agreeably to the order of Lt. Col. Thos. Butler of this date, the Court Martial convened which sat on the 1st Instant whereof Capt. Grayson is President, and after being Sworn proceeded to the trial of James Thompson of Capt. Purdys Company charged with "Absenting himself from the Camp near Nashville on the night of the 3rd Inst. and for bringing into said Camp a Bottle of Whiskey on the Morning of the 4th contrary to a Standing Order. —

To the charge the Prisoner pleads guilty —

The Court after hearing the evidence are of opinion that Thompson is guilty of the charges exhibited against him, and under Section the 18th Article 5th and Section the 13th Article the 2nd of the rules & Articles of War, do sentence him to receive 50 lashes. ——

The Court could not proceed to the trial of James McGonagle for want of evidence. —

After Orders. Camp Sept. 8th 1801.

The Commandant approves & confirms the foregoing Sentences, and orders them to be carried into execution at retreat beating this afternoon — The Comdt. also approves and confirms the sentence of the Court which sat this day, on James Thompson and orders it to be put in execution this afternoon at retreat beating — Samuel Brantshaw is to be released and ordered to join his Compy. the others after receiving their punishment as severally sentenced, are to be returned to the Guard untill further orders. ——

Sign'd Thos. Butler
Lt. Col. Comdt.

Additional After orders. Camp 8th Sept. 1801.

The Commdt. directs the punishment of Loadon, Sharpenstine & Thompson to be remitted, he has thought proper once more to pardon them, and cautions them against a repetition of the crime of which they have been convicted

they are ordered to join their respective Companies. —

signd Thos. Butler Lt. Col. Comdt.

Orders. September 9th 1801.

The Court Martial which sat yesterday is ordered to convene this day at ten O'Clock for the trial of McGonagle of Capt. Lockwoods Company. — signd

Thos. Butler
Lt. Col.

Agreeably to the order of Lt. Col. Comdt. Thomas Butler of this date, the Court Martial which sat yesterday convened this day for the trial of James McGonagle of Capt. Lockwoods Company charged with "Absenting himself from his Guard and going to Nashville on the night of the 1st Instant. — To the charge the Prisoner pleads not guilty. —

The Court after hearing the evidence are of opinion that the Prisoner McGonagle is guilty of the charge exhibited against him, and under Section the 13th. Article the 2nd of the rules & Articles of War do sentence him to receive One hundred Lashes. ——

After orders.

The Comdt. approves & confirms the foregoing sentence, and orders the punishment to be inflicted this afternoon at retreat beating. It is a painful part of duty to order punishments, but to pardon a crime of such a nature would be a violation of duty and destructive to order & discipline. When men are so incorrigible as to put duty & established rules to defiance they have only

themselves to blame for suffering the penalties pronounced by the Articles of War. The Prisoner after receiving punishment is to be returned to the Guard untill further orders.—

Sign'd Thos. Butler L. Col. Comg.

Orders. Camp September 13th. 1801.

Three Strong active men are to be immediately warned for command without Arms, they are to have three days Provisions including to day.— they are to carry nothing but their Provisions, blankets & Knapsacks. they are to be in readiness in one hour. Sign'd Thos. Butler L. Colo.

Orders. Camp September 18th. 1801.

It being necessary to move the present encampment, the Captains will hold the men off duty, of their respective Companies in readiness for fatigue tomorrow at 6 O'Clock — they are also to have the Company Axes in order this evening if possible — Each Compy. will have five Picks and One Ax from the Quarter Masters Store. The Company Officers will superintend the fatigue. Sergeant Miller of Capt. Purdys Company, Walls of Capt. Butlers, Bowye & Kenny of Capt. Graysons Compy. and two good Axemen from Capt. Lockwoods Company, are to be in readiness to make Clapboards. they will receive their orders from the Quarter Master. One Good Axe from Capt. Butlers & One from Capt. Lockwoods Companies are to be Sent with this fatigue. These men are to be reported On Daily duty untill further Orders.— The Commdt. is sorry that

that the conduct of Furnias & McGonagle of Capt. Lockwoods Company has been such as to merit a punishment so severe, but when Soldiers who know their duty as well as they do, no excuse can be offered in their behalf; they are ordered to be released and join their Company — the Comm^dt. flatters himself that they never will be guilty of a crime so disgraceful to a Soldier in future.

Sign'd

Thos. Butler
L. Col. Comm^dt.

Orders.

September 22nd 1801

Untill further orders the Children attached to the 1st Battalion of the 4th Regiment are to draw the same allowance of provision as they were accustomed to draw whilst at South West Point, and are to be included in the next Provision return.

Sign'd Thos. Butler L. Col.

Orders.

Camp September 24th 1801.

Corporal Mendenhall, Jennings & Nugent of Capt. Purdys Company, Love, Curtis & Phillips of Capt. Butlers, Clingamire, Dodson & Green of Capt Lockwoods, Davis, Brashin & Andrews of Capt. Graysons Company, are not to be detailed for duty untill further orders. they will receive their orders from the Quarter Master. —

The Captains will cause sinks opened immediately in front of their respective Companies at the distance of One hundred yards.

Sign'd Thos. Butler
L. Col.

Orders.

The Sinks being completed, all persons are positively forbidden from using any other place or places within three hundred yards of the Encampment — the Comm.dt expects this caution sufficient; any person caught violating this order will be punished in a summary way. —
All Washing; and watering of Cattle is to be done below the forks of the Creek opposite the right of the encampment and cleanliness is to be observed in lifting the Water where it is set apart for drinking and culinary uses. —

A general fatigue of all men off duty will take place tomorrow morning at reveille, to cleanse the rear and the Officers lines of encampment. —

Sign'd — Tho: Butler L.t Col.o

Orders. Camp September 28th 1801.

Capt. Butler will muster & inspect the Troops present of the 4th Regim.t on the morning of the 30th instant, at 7. O'Clock. the Officers are to have their rolls in readiness to be completed on that day. — the Surgeon, Quarter Master & Adjutant will also have their returns in readiness if possible. the Men at work under the direction of the Q. Master are to be taken off tomorrow in order to prepare for Muster. —

Sign'd Tho.s Butler L.t Col.
4th Regim.t

Camp near Tennessee Ridge
Order. October 4th 1801.

The Weather being favorable, and the men at convenient leisure, it becomes the duty of the Officers, to cultivate both themselves and the men, in their discipline; and as the Battalion has had little opportunity to exercise together heretofore, it would seem indispensible that one mode should pervade the whole of the Companies. the following mode of Parade duty &c is therefore directed to be practised, untill one or both of the Field Officers are with the Troops, when their approbation or alteration of the proposed plan will govern. —

First of Roll calls. —

When the Troops come on parade and have ordered their Arms by companies the Company Officers will take their Posts eight paces in front, facing the Companies, their Espontoons at a close order before the right breast. — The Adjutant on the right dressing with the front rank.

On the ceasing of the Music the Adjutant will step out one pace, face to the left and draw his sword, (Adjut.) "Attention"! at this caution the Officers trail their Espontoons. "Shoulder Firelocks;— they come to the right about. — "By the right Dress" — the ranks dress immediately, as do the Officers, the latter coming to an open order with their Espontoons. The Adjutant having examined all the ranks, and being satisfied with their dressing, he will take his position one pace in front of the right, as formerly,

and give the word, "Order Firelocks" — when he will approach the Commanding Officer on parade, and report that the parade is dressed, who will direct him to have the rolls called. — (Adjut.) "Attention" — "Orderly Serg.ts to the front, march" — at this last command, the Officers trail their Espontoons, when the Sergeants have arrived in front of their Companies, and have dressed with each other — (Adjutant) "To the right about, face." when the Officers & Orderly Sergeants will go to the right about — "Call your rolls" — the Comm.g Officer of each Company advances to his Sergeant & hears the roll called, making him account for every Man. (Adjutant) — "Orderly Sergeants to the Centre, March." — At this word of Command the Officers repair to their former posts & position, and the Sergeants to the Centre where they are to make report in the usual manner, and then be dismissed to their Companies — The Adjutant then turns and reports to the Commanding Officer, who will then exercise the Battalion, or cause the Adjutant so to do, at his discretion. — When the parade is dismissed the Officers will pay their respects to the Comm.g Officer, and answer any inquiries he may have to make as to their commands. ——

Of Facings

At all times when the Men are exercised without their firelocks they are to come to the right about face in the following manner. "To the right about," the Soldier brings his right hand briskly round & causes it to report well on the Cartridge box, placing his heels in the proper position for facing, at the same time, "Face." — when he comes round at one motion

then places his heels & right hand in their proper position at the same time, or 3rd. motion. When the men come to the right about with their Arms complete, they are to do it by an undivided word of command, and without striking the Cartridge box. —

Of Wheelings. —

When a Battalion by Platoons, Companies, Guards or relieves, is standing on their parade, and are ordered to wheel preparatory to Inspection or a March, they will wheel by a tolerable quick step, keeping dressed, when they have gained the intended Angle to the first position, whoever commands will order, "Halt! Dress." but when troops are put under march, either with or without Music, they are to wheel in common time; and whenever they have gained the proper direction to move on, the Officer will order, "Forward", when the pivot man and the whole are to step out with such a length of pace as will be sure to regulate their perfect dressing. The pivot man must, as well as every other, throw a full step by advancing his feet alternately but must advance only in proportion to the ground he ought to gain. —

The Troops will attend exercise untill further orders, at half past 7 O'Clock each Morning and continue untill Troop, (excepting the Men for Guard) and each evening from four to half past five O'Clock — They will begin tomorrow Morning, and with detail exercise by Companies, in the first instance, the Comm'g

Officer present will consolidate the Battalion for manoeuvring at his pleasure. — Sign'd

Edward Butler Captn.
Commanding

Orders. Camp near Tennessee Ridge 3rd October 1801.

A Non Commissioned Officer twelve men from each Company with two Axes, two Picks and two Spades each party, to parade at eleven O'Clock, they will get their instructions from Capt. Purdy of the Comm dto — the Officers may employ such others as may be off duty, for a few hours in fixing their booths &c but all must be ready for Afternoons exercise. — Captn. Butler wishes the Officers, and directs the Non Commissioned Officers and Soldiers, to understand, that all words of command from the commanding Officer, when the troops are under march (excepting to halt) is meant for the Platoon Officers only, who are to give the same word of command from front to rear to their several Platoons, and to give it loud and distinctly, as well as every word of command in the course of Exercise, paying no attention to the number of their command in this case. —

After to day all the Non Commission'd Officers off duty must be drilled from 12 to One O'Clock by the Sergeant Major, and an Awkward Squad formed from the whole privates to be drilled at the same time by a Non Commissioned Officer set apart by the Adjutant for that purpose.

Sign'd Edward Butler Captain
Commanding

Morning Orders — Camp 6th October 1801.

The daily exercise of the Troops will be dispensed with untill further orders. — the Captains and Qr Master will please call at the Colonels quarters at 8 O'Clock.

Sign'd Thomas Butler
Lt. Colo. Comm'g.

Orders. Camp 6th October 1801.

The Quarter Master will point out the ground for each Company to pitch their Camp upon, and direct the manner of pitching, and the Officers commanding Companies will cause the tents to be moved as soon as possible; all Company fatigues are to cease untill further orders, as no unnecessary labour will be admitted of

Sign'd Thomas Butler
Lt. Col. Commdt.

After Orders. — 6th October 1801.

The Men with which the Adjutant have been furnished a list of are to be reported on Daily duty, and eight Men detailed daily for Waggon fatigues. the Quarter Master will arrange the Men agreeably to the list furnished. —

Sign'd Thos. Butler Lt. Col. Comdt.

Orders.—

Camp October 7th. 1801.

The several arrangements of yesterday put it out of the Comm^dts power to examine the orders issued in his absence, he feels himself under the necessity of suspending the order of the 1st Instant. at the same time he wishes to be fairly understood in a case of such magnitude, and of such a delicate nature. It cannot be supposed that his views are confined only, to so small a part of his Regiment, but that he feels himself responsible for the discipline of the whole under established regulations.—

The Colonel will at all times receive with pleasure from his Officers, their opinions in writing on points of discipline, of which it is his province to judge whether the proposed alterations, or amendments, infract the principles established by Law and those of custom sanctioned by General orders, but he will never submit to a change by a junior Officer without first receiving his sanction:

The parade duties as heretofore practised in the 4th regiment are not to be deviated from untill further orders —the Mode of Wheeling the Comm^dt highly approves of, but whether that mode will receive the sanction of antecedent orders will take time to ascertain.— the Officer of the day is permitted to march off the Guards conformably to the order of the 1st Instant untill further orders.—

The facings being particularly described in the Regulations, Striking the Cartridge box appears to be indispensible, as it is to be presumed when a Soldier has his Cartridge box on, that

he has his Arms also, therefore in facing to the right about (after a Soldier is taken from the Squad of Recruits) the word of command is to be given without a rest, and he is to come to the right about, the instant the word of command is pronounced, striking his Cartridge box as before directed

Sign'd Thos. Butler
Lt. Colo.

Order — Camp October 8th 1801.

As soon as the Saw Pit is completed and the Colonels house is up, the men are to be employed in raising the Company Huts, Capt. Butler will direct the party that have been employed at the Saw Pit, and Capt. Grayson that that have been employed at the Colonels house, and each commence and raise the rear block of their Company Huts; that done, Capts. Lockwood & Purdy are to succeed with the rear block of their Companies, and then the front line on the right as at first — During the building of the Huts the Guard is to be reduced to a Corporal & Six —

Sign'd Thos. Butler Lt. Colo.

Order. Camp Oct. 15th 1801.

Corporal John Hunter of Capt. Butlers Company is promoted to the rank of a Sergeant, and Robert Stew private in Sd. Compy. is appointed a Corporal in the same — they are to be respected and obeyed as such, and are to be mustered as promoted or appointed the 1st. Instant.

Sign'd Thos. Butler
Lt. Col. Comdt. 4th Regt

Orders.

Camp October 26th 1801.

The daily duty men under Sergeant Cowan, and those procuring Saw Logs, are to join their respective Companies tomorrow, except John Nantine who is to join Johnston & Miller and to be under the direction of the Quarter Master. The daily duty men under Sergeants Ragsdale and Anderson are also to join their respective Companies as soon as the last block of Captains Lockwoods and Purdys Huts are covered. The daily duty men thus ordered to join their Companies are not to be detailed for Camp duty for two days including tomorrow. — The Quarter Master will report the quantity of Clapboards on hand, tomorrow if fair. —

Sign'd Thos. Butler
Lieut. Col.

Orders.

Camp October 23rd 1801

Corporal Mendenhall, Lee, Taylor, Adams, and 6 men from Capt. Purdys Company, and six men from Capt. Butlers for fatigue tomorrow to raise the Majors Kitchen. Captains Lockwood & Grayson to furnish men to raise Lieuts Jones & Gaines' house. — Such other fatigues as the Quarter Master may be directed to call for, are to be detailed. —

Sign'd

Thos. Butler
Lieut. Col.

Orders.

Camp October 24th 1801

The Colonel thinks proper to observe that the quarters now erecting are of a very temporary nature, and he had conceived that delicacy alone would have induced the Captains to conform to the simple manner in which he erected his quarters, but as that has not been the case, it becomes his duty to forbid any unnecessary labour in future. —

Captains Butler & Graysons teams are to be sent to the Quarter Master as soon as they have the Stuff for the roofs of their houses in.

A Regimental Court Martial is ordered to sit this day at ten O'Clock for the trial of Sergeant Ragsdale, the Court to consist of two Captains and three Subaltern Officers — the Senior Officer to preside an orderly Sergeant to attend the Court. —

Signed Thos. Butler
Lt. Col. Commdt.

Camp October 24th 1801. —

Agreeably to the order of Lieut. Colo. Comdt. Thos. Butler of this date a Regimental Court Martial convened whereof Captain Butler is President. The Court after being sworn proceeded to the trial of Sergeant Ragsdale of Capt. Butlers Co. charged with "Improper conduct to Sergeant McKinney the orderly of said Company, on the 20th of October 1801."

To the charge the Prisoner pleads not guilty. —

The Court are of opinion that the Prisoner Sergt. Ragsdale is guilty of the charge exhibited, and having

made use of provoking language to the Orderly Sergeant on the day abovementioned, and do sentence him under the 1st Article of the 7th Section of the Rules & Articles of War to ask Sergeant McKinsey's pardon. —

After Orders Oct. 24. 1801.

The Commdt. approves and confirms the sentence of the Court Martial as pronounced on Sergeant Ragsdale — The Colonel is sorry that the Sergeant lost sight of propriety so far as to use language so improper, and directs the sentence to be put in execution in presence of his Captain and the Officer of the day at three O'Clock, and to be released from confinement. —

The fatigues are to cease tomorrow, and the men agreeably to the list furnished the Adjutant are to be warned for daily duty on Monday next, who are to be under the direction of the Quarter Master untill further orders.

The Sawyers are to have half a Pint of Whisky pr. man pr. Diem, untill otherwise directed — the Court is dissolved

Signd Thos Butler
Lieut. Col. Commdt.

Orders. Camp October 28th 1801.

The Huts being in a situation to receive the men, and the weather favourable, the Captains will cause the tents of their respective Companies to be well washed & packed up by Companies, as also those in the use of the Officers, as soon as they can dispense with the use of them. The

Quarter Master will make a return and draw 10 pounds of Soap for each Company, and a sufficiency of Salt to make Salt Water to rinse them in, after washing it will be proper for the Captains to have the tents marked, as they are to be reserved for the Companies respectively —

The Quarter Master will also make arrangements to have those of the Field & Staff cleaned as soon as they can be struck with convenience — He will endeavour to procure a Barrel for each Company for the Purpose

Sign'd Thos. Butler
Lieut. Col.

Orders.

Camp October 29th 1801.

There will be no fatigue tomorrow, the Troops are to prepare for Muster and Inspection at eight O'Clock in the Morning of the 31st —. Capt. Butler will Muster & inspect them, the several Officers are to have their rolls in readiness for examination as soon after muster as possible.

Sign'd Thos. Butler
Lieut. Col.

Orders.

Cantonment November 3rd 1801.

For Command tomorrow at 6 o'Clock, One Subaltern Officer, One Sergeant, One Corporal & Eighteen Privates without Arms, with two days provisions cooked, — the Qr. Master will deliver the Officer detailed for Command Six Axes, Six Mattocks & 4 Spades. the Officer will call on the Comdt. this evening for his instructions. the Captains are to be detailed as Officers of the Day

Sd. Thos. Butler Lt. Col.

Orders.

Cantonment Novr. 12. 1801.

All Spades, Shovels, Picks & Axes (except 4 to a Compy) are to be delivered up to the Regimental Quarter Master tomorrow morning at nine O'Clock, as well as all public tools of every denomination, after which the Qr. Master will be instructed what further issues of tools are to be made to the Companies. —

The Commdt. has observed with concern the improper use made of Spades & Shovels, the Officers will be held responsible for the punctual delivery of all in their possession or that of their Companies. —

All Carpenter work is ordered to cease except what may be performed by order of the Commdt. & by those under the direction of the Regimental Qr. Master —

Johnston & Vantine of Capt. Butlers Company, Kenny of Capt. Graysons & Miller of Capt. Purdys Co. are to be under the Quarter Master untill further orders. —

A General fatigue is ordered tomorrow at three O'Clock to clean off the Cantonment, the Police men are to prepare brooms for the purpose. — the men employed at the Store of Mr. Hall will be permitted to finish it.

Signd Thos. Butler
Lieut. Col.

Orders. Cantonment November 17th 1801.

The Officers commanding Companies are to turn out a party every day untill further Orders (Sundays excepted) to cut wood for their respective Companies, each party to consist of a Non Commissioned Officer & Eight men — the Company

axes are to be employed on this fatigue, the Q. Master will deliver one Iron Wedge to each Company, & no more, the wood thus procured that is near at hand, may be brought by the men of the Several Companies, and piled in a place which will be pointed out, and delivered as the Captains may direct —

Signd —

Thos. Butler D. Col.

Orders. Cantonment November 22nd 1801

The Commdt has seen with concern the ill effects that have arisen in consequence of the men running in debt, and conceives that it is his duty to prevent in future an impropriety productive of such pernicious effects; he has reason to flatter himself that the troops under his command will shortly be enabled to satisfy these debts, many of which have been imprudently contracted, and as soon as that can take place other arrangements will be promulgated, better calculated for the convenience and advantage of the troops, as it is painful to observe that the pay of the troops has too generally been anticipated by others, and when pay day arrives the imprudent, tho otherwise meritorious Soldier, has only the Mortification of going through the necessary forms of receiving it, and then deliver it up to satisfy debts raised against him, when he should at least have the greater portion of his pay unalienated for the purpose of purchasing such Articles as are calculated to afford him Comfort. —

Wm.

Samuel C. Hall & Co. having obtained permission to open a
a Store at this Cantonment, for the accommodation of the Troops,
regulations are necessary to realize that object, and not turn
the proposed convenience to a curse.—

Therefore untill further orders the Store Keeper is positively
forbid raising an account against any Non Commissioned
Officer, Musician or Private, but under the following regula-
=tions and he expects the concurrence of the Captains to carry
these regulations into effect—

1st Dry Goods are only to be sold to the Non Commissioned
Officers, Musicians & Privates for Cash.—

2nd Groceries may be sold for Cash, or under permits
from ye Captains or Officers commanding Companies.—

3rdly Wine, Spirits, Brandy, Gin, Whisky & Beer are
only to be offered for sale at this Cantonment and under permits
from the Captains as before directed, noticing whether for Cash
or otherwise. Cyder or Cyder royal are not to be offered
for sale to the Troops.— All permits signed by the
Captains are to be kept by the Store Keeper and presented with
the Company accounts for examination of the Captns at the
close of every Month, if so required by them.—

~~4thly~~ (Women and such hands as may be employed
by the Commissary are prohibited from purchasing liquor
of any denomination at the Store.—

5thly The hours set apart for the Store to be open for the
accommodation of the Troops, are from 10 in the morning

to One in the afternoon of each day, before and after which the Officer of the Day is to direct the Sentinel to prevent all intercourse of the Troops, except Waiters and such men as may be taken by an Officer. — the drinking of liquor in the Store is improper and prohibited — Company Women are confined to the same hours as the Men —

Sign'd Thos Butler
Lt Col. Comm'd

after Orders.

November 22nd 1802

The Guard is to be augmented tomorrow at Troop beating to consist of One Sergeant, One Corporal & 12 Privates —— Sign'd — Thos Butler Lt Col Comm'd

Orders — Cantonment November 25th 1802.

The Captains of Companies are at liberty to take off the Wood Cutting Parties when they ~~they~~ may think proper — One Non Commission'd & 10 men for fatigue tomorrow at the usual hour, the Quarter Master will take charge of them, and employ them as the Com^m^d^ may direct.

Thos Butler
Lt Col.

Orders.

Cantonment November 27. 1801.

James Scott fifer of Capt Butlers Company is appointed a Fife Major to the 4th Regiment, and is to be respected & obeyed as such, and held on the rolls of Muster as promoted on the 1st Instant — Thomas Higgins fifer is to join

and be Mustered in Capt Butlers Company from the date of his Enlistment — All Clothing drawn by the said Higgins is to be charged by Capt Butler —

Sign'd Thos Butler L. Col. Comdt
4th regiment

Order. Cantonment November 29th 1801.

Capt Butler is to muster and Inspect the Troops tomorrow morning at nine o'clock —

Sd Thos Butler L. Col.

Order — Cantonment December 3rd 1801.

The Adjutant is directed to read at roll call the order of the 8th of February 1798, and that part of the order of the 30th of July 1800, that has reference to the same, as a repetition of the neglect which he observed in the Guard now on duty will lead to investigation. —

Sign'd Thos Butler
L. Col. Comndt

Order. Cantonment December 7th 1801.

A Regimental Court Martial is ordered to convene this day at ten o'clock, for the trial of Ephraim Jenkins of Capt Purdys Company, the Court to consist of five Officers, the Senior to preside — An orderly Sergeant to attend the Court —

Sign'd Thos Butler
Lieut. Col. Comndt

Agreeably to the above order a Regimental Court Martial assembled whereof Capt. Lockwood is President and after being sworn proceeded to the trial of Ephraim Jenkins of Capt. Purdy's Company charged with "Being drunk when a Sentinel on his post on the morning of the 6th December 1801."
To the charge the Prisoner pleads guilty. —

The Court find the Prisoner guilty of the charge and sentence him under the 5th Article of the 13th of the rules & Articles of War to receive 75 lashes. —

After Orders. December 7th 1801.

The Comm.dt approves & confirms the sentence of the Court Martial, as pronounced on Ephraim Jenkins and orders the same to be carried into execution this evening at retreat beating. The crime is in itself unpardonable for a Soldier who is in charge of property, and on whom the safety of a Camp depends to incapacitate himself from performing the duties assign'd him, is such a breach of the principles of a Soldier that to extend lenity to the Prisoner would be a violation of duty, and the profession of Arms. — The Court is dissolved. The Prisoner after Punishment is to join his Company

Sign'd Thos. Butler
Lieut. Col. Comm.dt

Orders — Cantonment December 13. 1801.

Corporal Steen & O'Donald of Capt. Butlers Co. Spence & Dogged of Lockwoods, Laurence & Bundy of Graysons, Lee

and James of Purdy's Companies are not to be warned for Camp duty, but are to hold themselves in readiness for command, they are to be under the direction of Lieut. Gaines who is directed to make the necessary arrangements for moving on the shortest notice. — The Quarter Master will draw thirty days Provision for the party which Lieut. Gaines will see properly fixed for Packing. —

Sign'd Thos. Butler
Lieut. Col.

Orders. — Cantonment December 16th 1801.

During intervals of good weather part of the Troops are to be employed in opening a public high Way, conformably to regulations from the War department as announced in general orders of the 3rd of June last. —

In order to carry these regulations into effect, One Sergeant three Corporals & eighty four Privates, are to be warned as a Select fatigue, who are to receive all the immunities expressed in the said regulations, as a compensation for their labour. —

Two Officers are to be warned to superintend the several fatigues or Working parties, the Senior officer is to keep a register and note opposite each mans name the number of days that he has laboured whilst under his superintendence, he is authorised to remove from one party to augment another as occasion may require —

The several parties will be in readiness to move from the parade at 7 O'Clock in the morning, two men of each Company of the selected labourers, are to be employed as

cooks, who are to have on the working ground at ten O'Clock each day, such portion of the daily allowance of provision as may be deemed proper, one hour will be allowed for refreshment. — the residue of the daily allowance the cooks are to have in readiness on the return of the men at retreat beating. ——

The Quarter Master will see that the Whisky is issued to the Labourers as follows — viz. — The ration Whisky in the Morning, half a Gill of the extra at ten O'Clock, and half a Gill at Retreat beating to each man.

Captains Butler & Grayson are to be warned for the first tour of Superintending which will comprehend all the days suitable for labour from this date to the 31st Instant. —

The Quarter Master will deliver the tools conformably to the list given him, charging each man with the tool and exchange them when out of order. —— He will also deliver such other tools as may be called for by the Officer Commanding the fatigue who is to furnish a list of the mens names who receive them that they may be charged in like manner. ——

The Adjutant will furnish the Senior Officer with a list of the mens names of the several parties, who are to be taken off duty and receive their tools immediately and have them put in complete order — the superintending Officers will see the several arrangements made this day, in order to enable them to commence on the duty assigned them tomorrow at seven O'Clock.

Signed — Thos. Butler
Lieut. Col. Commdt.

Orders.　　　Cantonment December 24th 1801.

No fatigue will be imposed on the men tomorrow except what is necessary for the police of the Cantonment. —

Sign'd　Dav'd Bradly
Major Comm'g

Orders.　　　Cantonment December 29th 1801.

Major Bradly will muster & inspect the Troops at this Cantonment at nine O'Clock on the morning of the 31st Instant. —

Second Lieut William Lawrence is to be mustered in Capt Butlers Company but is to do duty in Capt Purdys Company untill further orders.

All fatigues are to cease untill the morning of the 2nd of January when Captains Lockwood and Purdy are to relieve Capts Butler & Grayson. —

- Sign'd - Thos Butler
Lieut Col. Comm'dt

W N R S T
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Andrew Jackson

JACKSON'S ORDER-BOOK DURING THE CREEK WAR (FLORIDA, 1812-13)

$$x^2 - a^2) \, x^4 - a^4 \, (x^2 - a^2$$
$$x^4 - a^2x^2$$
$$a^2x^2 - a^4$$
$$a^2x^2 - a^4$$

$$x^2 - a^2) \, x^5 - a^2x^3 \, (x^3$$
$$x^5 - a^2x^3$$

Andrew Jackson
Major Genl. Com

General orders

The Major General informs the army that the organization of the volunteers who constitute the detachment for the defence of the lower country, under his command is now completed, and that they will be marched by detachments so soon as they received their pay and equipments. The following is the result of the organization —

General and Staff

Andrew Jackson Major General
William Carroll Brigade Inspector
Andrew Hynes, aid-de-camp
Learner Blackman, Chaplain
James Henderson Brigade Quarter Master

Field and Staff Cavalry

John Coffee Col^o Com
John Alcorn Lieut^t Col^o
Robt H Dyer Lieut Col^o
James Lauderdale first Major
John H. Gibson 2nd do
Basil Shaw first Adjutant
Saml Taylor 2nd do
Stockly D Hays Paymaster
Neal B. Rose Quarter Master
Stokely D Hutchings Quarter do Serg^t
John Knight do do do
James L Armstrong Surgeon
Clement W. Read do Mate
William T Henderson do do
John Jones Master of Sword

First Regiment Infantry

William Hall Col^o Com
Edward Bradly Lieut^t Col^o
Saml L Lauderdale Major
David Humphries Adjutant

William Lauderdale paymaster
Richard Alexander Quarter master
John Cage Quarter master Sergt.
Saml. Hogg Surgeon
Simpson first mate
2nd Mate

Second Regt. Infantry
Thomas H Benton Colo. Com-
William Pillow Lieut. Colo.
William Martin Major
Lieut. Guy Smith Adjutant
George West Quarter master
Isaac Little Do Do Sergt.
William Butler Surgeon
Joshua Hobson first mate
John N Read 2nd Do
James Davis Paymaster

Cavalry Captains
Capt Coleman
Capt Baskerville
Capt Bradley
Capt Byrne
Capt Smith
Capt McKean
Capt Molton
Capt Hump
Capt Tyrrell
Capt Kavanaugh
Capt Sutton

Captains first regt. Infantry
Capt Alexander
Capt Martin
Capt Douglass
Capt Wallace
Capt Wm. Moore
Capt Hamilton
Capt Kennedy
Capt Bledsoe
Capt Newlin
Capt Mark

Captains Second Regt Infantry—
Capt McEwen, Capt Gibbs, Capt Smith
Capt Williamson, Capt Wm Moore, Capt McFerrin
Capt Capurton, Capt Hewit, Capt Renshaw
Capt Reynolds and Capt Cannon—

Thus organised, fellow soldiers, we are to act and our country and our government expects us to act with effect—To do this implicit obedience to yr commanders and strict subordination must be had and obtained—Courage alone, altho it may effect wonders, is not at all times adequate to resist discipline and military skill with superior force—The benefit of the service, self preservation, yr own honor and your duty to yr country, require strict attention to discipline

Your General with an eye to this important object, has invited to the field men of the best acquired knowledge of tacktics and discipline—They are placed in the staff In their industry and talents he has the highest confidence With prompt obedience yr Genl has no doubt but they will soon introduce into the ranks that necessary discipline which is all important to the success and preservation of an army—Hence then yr Genl requires and commands strict obedience to orders—Yr duty, yr safety, yr country the benefit and importance of the service, may yr pride in arms fellow soldiers, imperiously demand it—Yr good sense will cheerfully yield it—Honor honesty and civility are the common concomitants of good soldiers—You are commanded therefore, wherever you are religiously from insulting the citizens or destroying their property—When yr Genl reflects that it is patriotism alone which has induced you to exchange the civic wreath for the military plume—to forego all the endearments of social and domestic life and to sacrafice if necessary yr life in defence of the dearest and most invaluable rights and priviledges of your country, he cannot for a moment permit himself to believe that

is one of this heroic band, who would tarnish his honor disgrace his country and reflect infamy on his posterity by such immilitary acts — The relative situation of yr Genl to you, is, that of a father to his family and as such he pledges himself to do his duty — Your moral duty then is obedience — Your duty as Soldiers is subordination; this yielded without coercion — united as a band of brothers we will overthrow all opposition. That we may learn the duties of a soldier and become enured to the requisitions of subordination it is necessary that our first acts should lead to this most desirable object — It is therefore required and commanded that no commissioned officer leave the encampment without the permission of his superiors and that no non commissioned officer or private leave the encampment without the permission of their commanding officer in writing and the officer of the day will not permit them to pass the Guards without such permission — The Colos. commanding regts in the detachment will cause reports to be made every morning to the brigade Major of the strength and condition of the detachment that the requisitions on the contractor for rations and quarter master for forage may be regulated accordingly —

All citizens, not Soldiers are commanded to leave the encampments at the approach of night

It is further ordered that the police of the camp, this day be established at two oclock

By order of the Major Genl.

Thomas H Benton
aid-de-camp

General orders

Head Quarters,
Nashville, December 9, 1812.

William Carroll,
Major of Brigade,

Sir,

You will attend on the Public Square, Nashville, at 10 O'clock, A.M. on the 10th inst. to conduct the Volunteers detached for the defence of the lower country under my command, there to be assembled to the encampment near Nashville.

You will lay out the ground for each regiment to occupy in said encampment, and direct the regimental Quarter Masters to conduct the residue of their respective regiments, that may not be assembled, as they arrive, to the ground assigned them. The Cavalry will be encamped in the rear.

Andrew Jackson,
Majr. Genl. Commanding

Head Quarters,
Nashville, Dec. 14, 1812.

The Major of Brigade will march to the Military Store-house, Nashville, to morrow at 10 O'clock A.M. Alexander's company and Capt. Martin's company of the 1st regiment of Infantry; Capt. McEwen's and Capt. Reynolds

Companies of the 2d. regiment of Infantry; & there have them fully armed with Muskets & their equipments; and take each Captain's receipt for the number of arms delivered each Company with their equipments; and continue, as speedily as may be, by detachments of four Companies (two from each regiment,) and have them armed in like manner until all the arms fit for use are distributed, that are now deposited in said store house — taking receipts as above.

Andrew Jackson,
Major General.

Majr. Wm Carroll.

General Order, of the day,
Head Quarters,
Nashville, Decr. 15, 1812.

The Brigade Major will turn out for the Guards of the day, the non-commissioned officers, to act as privates, and the subaltern officers to act as non-commissioned Officers. The object of this order will readily be perceived by all concerned: — to diffuse throughout the non-commissioned officers and subalterns, a perfect knowledge of Camp duty. And the General believes that every non-commissioned officer and subaltern will see the propriety of this order, & yield prompt obedience thereto.

Andrew Jackson
Major General

Majr. Wm. Carroll.

General Orders.

Head Quarters
11th Decemr 1812

The officer of the day will permit all forage & baggage waggons to pass into the encampment & to pass in rear of the encampments along the line the guards for the day will be furnished agreeable to the common usage of guards — Lieut Coll. Bradley will act as officer of the day — the Major of Brigade will march into Nashville at 1 Oclk P.M. five companies two from each Regiment of Infantry to Receive their arms the countersign Dutton

by Order of the Major Genl
John Reid aid de camp

General Orders Nashville
11th Decr 1812

Finding it necessary for supplies to remove the quarters of the Cavalry, they will Strick their Tents at nine Oclock tomorrow morning, & commence their march to Nashville precisely at 10 oclock there to await further Orders the Infantry of the 1st and 2d Regiments who have Recd their Orders, will accompany them to Nashville the order of march to be as follows — The Generals guard will be the music in front followed by the Cavalry, who will be marchd by files to Bellview with their baggage waggons in their rear followed by the Infantry the same order. At Bellview the whole detachment will be formd in open column — each battalion furnishing its own flank & quarter guards the march from thence through Nashville

Will be pointed Out, [designated] by the Major Genl. of Brigade from this point. the Regiment of Cavalry will be March^d to their new encampment by the assistant Dr. Q^r Master & the Infantry marched back to their present Incampment by the Brigade Major by Order of the Major Genl.

Jno Reid aid de camp.

Genl. Orders Nashville
27th Decem^r 1812

It is with pain that the Major General has to Announce to his guards, the Melancholy fact that Captain William Rickard of the old Revolutionary army is no more it is due to the heroes who fought and bled for the liberty we now enjoy die^g altho not in the field of War that they should be intered with all the honors of War. — it is the last tribute of respect we can pay to this our brother departed soldier and hero — the Major Genl. then commands that the company composing his body guard will assemble at Talbots Hotel on tomorrow precisely at two Oclock P.M. and proceed from thence to the place of interment and there to burry our deceased Brother & friend with the honors of War.

Sig^d Andrew Jackson
Maj^r General

General Orders. Nashville 18th Decemr. 1812
Head Quarters

The Major General with heart felt satisfaction announces to the Detachment which he has the honor to command. his entire approbation of the Orderly & Soldierly like conduct of all the troops on duty yesterday during the whole march When the Major General reflects that the troops have been but seven days encamped and during that period experiencing the unusual rigours of the season the small portion of this time to attend to discipline the orderly and Military like conduct of both officers and soldiers on all occasions is a sure pledge that your General's best hopes will be realized – that in this detachment Verified the expectations of the worthy patriots of the Revolution who formed the constitution, a well organised militia, the sure defence the grand bulwark of the nation – Your General exhorts all officers & soldiers in the Detachment to continue their attention to discipline and let it ever be kept in mind that the materials composing this detachment when fully disciplined can never be beaten by equal numbers that without discipline our valor may be vanquished by superior military skill tho directed by inferior force. the adjutant of each Regiment will attend at the generals Quarters at 10 o clock A.M. each day to Receive their orders untill such

time as the Major of the Brigade can be accom=
odated with a tent in camp

Andrew Jackson
Major Genl

General orders—

The Major General being informed (officially) that the officers commanding companies in the de=tachment under his command are giving furloughs to many more privates in their respective companies than by the rules and articles of war they ought — It is therefore ordered that the Major of Brigade, read at the head of each regiment, on this day two oclock P.M. the rules and articles of war and that, every Captain conform himself thereto, in this respect from this day forward It is further ordered, that the rules and articles of war be read at the head of the regiment of Cavalry to morrow at two oclock P.M.

Head quarters
Nashville Decr. 20. 1812

Andrew Jackson
Major General

General orders

The Major General informs the detachment under his command, that he has made the following reply to the highly pleasing and flattering address, made to him, and them by his Excellency, Governor Blount. The Major General trusts that in the expression of sentiment therein contained he has expressed, the sentiments, the feelings the language and fixed determination of all. He has drawn this conclusion from their propriety of conduct ever since they have been encamped. The Major Generals gratification is complete in the full approbation of the propriety of the conduct of his detachment.

The Major General orders that the reply be read by the Major of Brigade at the head of each regiment on the 21st Inst. at 2 Oclock P.M.

Andrew Jackson
Head quarters
Nashville Decr. 20 1812 Major General

General orders

The Major Genl. informs the first and Second regts. he has the honor to command, that he will review them on the 25th Inst. at 12 Oclock when he expects to see every officer and soldier at their post.

Andrew Hynes has been appointed aide de camp to the Major Genl. in the room of Thomas H. Benton promoted. all officers and soldiers in the detachment are commanded to honor and obey him as such.

Andrew Jackson
Head quarters
Nashville Decr. 24 1812 Major General

General Orders.

To prevent irregularity and disorder in the Infantry encampment, it is Ordered that from twelve O'clock, this day, no spirituous liquors be sold to the soldiers, by Sutlers, or other persons. Any person offending against this order, shall be arrested and punished agreeable to law.

It is ordered, that a complete return of those who were legally enrolled as volunteers, and are absent without leave, and of course are deserters, be made out, and returned to the Major-General by the proper officers this day, that the delinquents may be treated according to law.

By Order of the Major General,

Andrew Hynes
Aid-de-Camp.

Head Quarters, Nashville,
Nov. 26, 1812.

General Order.

The derangements in the Finances of the Paymaster, occasioned a delay of the payment of the detachment under my command on Yesterday. The Major-General informs the detachment that every exertion has been made to prevent any further delay in future; and a-

majority of the directors of the Bank have every wish to accommodate the paymaster, and promote the public service.

The Major-General has made it known to the officers and men composing the detachment, the only mode which the Bank has it in its power to grant the accommodation, and expects them to yield cheerfully to it, as the Bank bills will answer each and every one the same valuable purpose as specie.

Under full confidence that every officer and soldier will cheerfully acquiesce, the Major-General has made arrangements with the Paymaster, and he will resume the payment of the troops this evening at 3 O'clock, and pay off three companies.

The Major-General, therefore, orders, that Captains Martin & Douglass's, from the first Regiment, and Capt. Gibbs company from the second, ~~regiment~~, do march from their encampment at two O'clock, P.M. and reach the Paymaster's office, in Nashville, at three O'clock, P.M.

By order of the Major-General,

Andrew Hynes,
Aid-de-camp.

Head-Quarters,
Nashville, Dec. 27, 1812.

General orders

The major Genl. regrets that he has to announce to the detachment under his command, that owing to the run made on the Bank by the Soldiery in presenting the notes for Specia, the directors have refused to furnish the Paymaster with funds to pay off the balance of the troops — But the directors of the Bank have agreed to make the following arrangement — that the Bank will furnish the paymaster two thirds post notes payable at Ninety days after date and one third in Specia — This is the only arrangement that can be made at present for the paymt. of the troops — Should this not be agreeable the payment must be stopt for some days — The Genl. appeals to the Patriotism of the troops and assures them that the post notes will be recd. by the merchants as cash —

Prepartotary to a march as soon as pd. the Major Genl. orders that a compleat return be made of the Blankets, and rifles furnished by each man, in the Regts of Infantry and of the Blankets and equipments in the cavalry — Also the number of muskets furnished the Infantry with their equipments

together with the number of Knapsacks
The number of Infantry and cavalry without
arms and equipment-
It is further ordered, that no furloughs or permits
be given from this date - for a longer absence
than six hours - Our wood at the present
encampment is consumed, and on thursday
next we must move to a new one; it is
therefore necessary that the whole of the
troops be present at nine oclock on that
day

By order of the Major Genl

Head quarters
Nashville Decr. 29 1812

Andrew Hynes
Aid de camp

Genl. orders -

The Infantry will strike their tents at 10 oclock
the 31 Inst. A.M. and march precisely at 12 oclock
to their New encampment, except Capt Moore
company of the first Regt. and Captn. Williamson and
of the second regt.

There shall be detached from
each company of the first regt. who have been
supplied with a boat, one Sergt. one corporal and
ten men, who shall attend the contractor, and
receive from him sixty days provisions for the company
and put it on board Sd. boat - and as
soon as the provisions, or such part thereof
as can be furnished by the contractor at Nashville
is on board, they will proceed down the river to the
new encampment - A like number of men

from each company of the 2nd regt who may
have boats ready at Nashville, shall in like
manner attend the contractor receive provi-
-sions and descend the river to the New can-
-tonment - The Capt of the guards will furnish
the same - The detachment will succeed each
other in point of time begining on the right of the
first regt by companies and extending to its
left and as soon as one boat has recd its
provisions another detachment will attend
the contractor with their boat - The first
company will attend at 9 Oclock 1st Jany
As soon as the Genl's guard have recd their
provisions on board they will fall down
the river with their own boat and the boat
provided for the Genl and his staff to such
point opposite or below Nashville where the
best harbour may be found and there
remain with them until further ordered ~

The Major Genl announces to the Infantry
that the revd Mr Blackman who is appointed
Chaplain to the army will preach to them at
twelve Oclock to morrow, and to the cavalry
at the dragoon camp on the 3rd Jany
at 12 Oclock By order of the Major Genl

Head quarters Andrew [Hayne?]
Nashville Decr 31 1812 Aid de camp

— General orders —

Head quarters Nashville Decr. 31. 1812

A General court martial to consist of seven members, will convene at Nashville, on to morrow first of Jany 1813 at two Oclock for the triel of such persons as may be brought before it — Col. Wm Hall of the first Regt. is hereby appointed presi=dent of the court Martial, and Lieut. David Lawrick will perform the duties of Judge ad=vocate — The other members to be detailed by the Brigade Inspecter of the detachment

Andrew Jackson
Major General

— General orders —

From the report of the sudden illness of Capt Alexander and Capt Reynolds furloughed two of the members named on the Genl. Court Martial to meet in Nashville this day at 2 Oclock P. M. the Major of Brigade will proceed to name two other members in their room

Nashville Head quarters
Jany 1. 1813

Andrew Jackson
Major General

— General orders —

It is with extreame regret that the Major Genl. witnessed today the seeds of Mutiny in the vo=lunteers camps, but it is with pride, the Genl. recollects with what alacrity the great mass of the volunteers flew to his aid to suppress it
He cannot refrain from tendering to Capt

McEwen his thanks for the promptness with which he obeyed his orders indeed he most cheerfully gives his thanks to all the officers present except those few who appeared to countenance mutiny and discord. The Major Genl. thinks it important, that all officers and soldiers should know the penalty which the Martial law inflicts for disobedience of orders for mutiny, mutinous conduct or exciting others to mutiny — therefore orders that the Major of Brigade read to the first and second regts. of Infantry the 6th 7th 8th and ninth articles of the rules and articles of war to morrow at twelve oclock and all officers and soldiers are commanded to conform thereto under the pains and penalties which sd. articles inflict. The Major Genl. flattered himself there was not an officer or Soldier in the detachment of volunteers who would have tarnished that fame — which from their patience and forbearance under the most trying circumstances they had so justly merited: but with pain and mortification he witnessed a disposition in some not only to cast a shade over their own conduct, but anxious to involve in shame and disgrace the whole detachment under his command — this cannot nay shall not be

The Major Genl. feels well assured, that a large majority of the volunteers have too much sense not to know that every exertion have been made to accellerate their payment and that the delays of which they complained have been occasioned from circumstances over which the Genl has no controal — he also feels assured that they have too much confidence in the justice of their officers to believe for a moment that they could be actuated from motives of partiality — none but disorganizers and those who are mutinously disposed would attempt to plant the seeds of discontent in the bosom of those who when too late will repent of their temerity — The boast and the pride of the Major Genl. was that the brave volunteers whom he has the honor to command had tendered their services to their country from the most patriotic motives, that too a man they were anxious to see her elevated to the highest pinnacle of national prosperity renowned among the nations of the earth and crowned with the ever shining emerald of liberty — But he fears these pleasing expectations in some instances will prove delusive; that there are some who are not impelled to the defence of their country from patriotic

but pecuniary motives — why if the love of country has drawn you from the bosom of yr. families such anxiety about who shall be first p.d? Do you not know that all cannot be first? can you not exercise a little patience? Take care how you indulge this restless disposition lest the world should say that you are not ostensible patriots but real mutinous — The Major Genl. hopes, that the mutinous & disorderly conduct of to day was more the effect of imprudence and inconsideration than the really appre determination to disobey — he flatters himself that no one during the whole campaign will be found so far lost to a sense of duty; so regardless of their fame and their reputation as to be guilty of the like conduct again; but should he be disappointed in this expectation he pledges himself that the Martial law will be fully and inexplicably executed on every individual concerned — Every expression of either officers or soldiers having a tendency to excite disobedience of orders are forbidden and if used shall be punished agreeable to law — Let it be remembered that the duty of a parent is to chastise and bring to obedience an undutiful child — The Major Genl. has pledged himself to act towards you as a father and now exhorts you to obedience

Capt Kennedy of the first regt. will march to Maysville and be at the Pay Masters office precisely at 2 O clock P.M.

to morrow — The Brigade Major being absent with leave the reading of this order is entrusted to Major West Qr. Master of 2nd Regt. —

Head quarters Nashville }
Decr. 31 — 1812 } Andrew Jackson
Major Genl.

Genl. orders
Head quarters Jany 4 1813

A Genl. court martial to consist of thirteen members, will convene at Head quarters on the 5th Jany Inst. at 10 oclock A M for the trial of Lieut. Wm. Caldwell of the first regt. of Tenn volunteers under the command of Major Genl. A Jackson, and for such other prisoners as may be brought before it —

Col. Thos. H Benton of 2nd Regt. Ten vol President

Lieut Col. Pillow
Major J Lauderdale
Capt Martin
Capt Kennedy
Capt Gibbs 2nd Regt.
Capt Smith
Capt McEwen
Lieut. Thos. T Maury
Lieut. Jno. Carr
Lieut. Nowell
Ensign Sitler

Lieutenant David S Deaderick
Judge Advocate

By command of the major Genl.
Andrew Hynes
Aide-de-Camp

General Order

The payment of the Infantry being nearly compleated, the Major General feels gratified to have it in his power to order the Infantry to strike their Tents, and commence their march to the place of destination, agreable to the orders of his Excellency Govr. Blount.

The Infantry will strike their Tents on Tomorrow at twelve OClock; taking on board the Baggage of such companies of Infantry as are not accommodated with Boats and drop down the River to Robertson's landing where they will encamp on the night of the 7th instant. Captains Newland, Renshaw and McFerrin's companies who remain unpaid will march into Nashville at 10 oClock A.M. to receive payment, and then join their Regiments tomorrow night at Robertsons landing, at which place the 2d Regiment will receive their additional Boats, which will be delivered by the Col. to three of his companies. — on the 8th the whole of the Infantry will embark and fall down to the mouth of Harpeth, where a compleat supply of Boats will be recd. and a quantity of Provisions at which place the Infantry will encamp untill the Major General arrives.

In the meantime care and industry [illegible] to be used to have the provisions on board. Too Great care cannot be taken of the Boats, least some of them sink. Guards will therefore be kept up all night to prevent accidents.

The Captains of the 2d Regiment will furnish the contractor with complete returns of their respective companies when this has not been done so that the contractor may furnish and forward on not only substantial part of the rations—

By order of the Major Genl.
Head quarters
Jan. 7 h 1813
Andrew Hynes aid. de camp

General orders—

All blowing of trumpets or bugles on our march hereafter are positively forbidden— All firing of guns on our march, except signal guns, shall henceforward cease. The signals of distress, shall be the firing of four Guns in quick succession at which all the small crafts well maned shall immediately proceed to the relief of the distressed— The signal for landing on the right side of the Mississippi shall be the firing of three minute guns— For landing on the landing on the left side two minute guns— The boats shall proceed in open order— When a boat gets a head, it shall lie on its oars, and those in the rear shall row up to proper distance and the whole to keep in good order—

When on shore no Guns shall be fired unless by the orders of the officers of the day or the permission of a commissioned officer—

By order of the Major Genl
Andrew Hynes—
Aid-de-Camp

Head Quarters
Mouth of Cumberland
Jan. 7 19 — 1813

" "

Head Quarters mouth of
Cumberland Jan 7 20 1813—

A General court martial to consist of seven members will be convened this day at 12 oclock at Colo. McNeills quarters for the trial of such prisoners as may be brought before them — Lieut. Colo. Edward Bradly is hereby appointed president of the court martial, and Lieut. L. Deaderick Judge advocate, the other members to be detailed by the brigade Inspector of the army—

Andrew Jackson
Major General

The following officers were summoned as members of the above ordered court

Major Lauderdale	1st Regt.		members	Capt Douglas	1st Regt.
Capt Alexander	1	do		Capt Kennedy	1	do
Capt Martin	1	do		Capt Wallace	1	do

—General orders—

Head quarters on the Cumberland
January 20 1813

At a Genl. court martial of which Lieut Colo. Bradly of the first regt. Tennessee volunteers is president was tried Jacob Snowden, William Butler and James Butler privates in Capt Mark's company of the first regt. Tenn volunteers, for desertion, to which charge these prisoners pleaded guilty and threw themselves on the mercy

of the court — The court after mature deliberation found the prisoners J. Snowden Wm Butler and James Butler guilty of the charge exhibited agt them and sentenced them to half rations for three days — that one half months pay of each be stopped and they shall severally wear the ball and chain on the right ancle for five days and nights successively and on each day be marched along the line — Major Genl Andw Jackson approves and orders the sentence to be carried into effect — The Genl court Martial of which Lt Col. Edward Bradley is president is hereby disolved —

By order of the Major Genl

Andrew Hynes
Aid-de-Camp

General orders

The major Genl has witnessed with regret the execution of the punishment inflicted on Jacob Snowden Wm Butler and Jas. Butler for the crime of desertion He is pleased to find that the prisoners have sensibility and penitence for the crime they have committed against the laws of their country — He is willing to believe that the prisoners have been influenced by the infamous persuasions of persons not belonging to the army to the commission of this crime — He cannot believe that there are any attached to the army, who are possessed of innate baseness enough to desert their standard after they have given a solemn pledge by their own volition to support it ——

The major Genl. wishes it made known to the prisoners and the army generally that his lenity in this instance shall not be extended to others for the same offence - Soldiers you will therefore know that the offence of desertion henceforward shall be considered a capital crime - Those who commit it shall be made an example to the utmost extent of the laws - The major Genl. feels confident that there are none attached to the army who have witnessed the disgrace of the criminals, will ever be guilty of their crime - And owing to their penitential sorrow - he remits the further execution of the sentence of the court Martial

By order of the Major Genl.
Andrew Hynes
Aid de Camp

Head quarters at
the mouth of Cumberland
Jan.y 21 1813

General orders

By a note rec.d from Capt Thos Williamson of the 2nd regt. of Infantry - the major Genl. is informed that Jno. Rogers a Private in his company has paid the debt of Nature - He is gone the way of all the earth, and the only thing left for us to do for him is to have his body decently buried and that with the honors of a soldier - It is therefore ordered that the body of the said John Rogers be interred on the morning of the 24 Inst. at Fort Massac with the honors of war, and that Sergeant Armstrong with a detachment from Capt Carrolls

company perform the ceremony—

By order of the Major Genl.

Head quarters on the Ohio on board the transports Jan.y 28. 1813

Andrew Hynes
Aid-de-Camp

Genl orders—

At the Genl. court martial of which Col.o Wm Hall is president was tried Amos McCarter a fifer in Capt Carrolls company of Guards on the charge of desertion from the Mouth of Cumberland on the 22nd Jan.y Inst. To which charge the prisoner pleaded guilty— "The court after mature deliberation found the prisoner fifer Amos McCarty of the charge exhibited agt. him and sentenced him to be reduced to the ranks; to be deprived of an half Months pay and of half his rations for ten days; wear the ball and chain for five days continually and to be marched along the line of the regt. on each day for five days— The court however, from the extreame penitance and correct deportment of the prisoner since his return, have recommended him to the Mercy of the Major Genl."—

The major Genl. did hope that exemplary punishment would have been inflicted for all crimes of desertion— But the interposition of the court Martial in recommending him to the Mercy of the Major Genl., and his sincere repentance for the crime, has induced the Major Genl. to pay attention to the wishes of the honorable court; the sentence of punishment of the said Amos McCarty is therefore remitted— The Major Genl. does not wish it to be understood, that this is a precedent by which other criminals may expect

the same lenity — The law declares desertion to be a capital crime — Those who are guilty of it shall be punished with death or any other punishment a court martial may think proper —
Can any man in this army be so lost to him self or his country, ever to deliberately commit the crime of desertion — It is made known to you Amos McCarty that you have passed the confines of redemption for the like offence — If the same wicked disposition should prompt you to desert again, then shall be the sentence of death passed against you —

The Genl. court Martial of which Col. Wm Hall is president is hereby dissolved

Head quarters on board the transport on the Mississippi river Jany. 29. 1813

By order of the Majr. Genl.
Andrew Hynes
Aid-de-Camp

General orders

The good of the service requiring that the rank of the Captns. of the first regt. of Infantry should be settled The Majr. Genl. convened the field officers of said first Regt. of Infantry at the quarters of Col. Hall and balloted for the rank of the Captains and the result came out as follows — Capt Alexander first Capt Martin second, Capt Douglas third, Capt Newlin fourth, Capt Moore fifth, Capt Wallace sixth Capt Hambleton seventh, Capt Nash Eighth — The two rifle companies were then balloted

for, and came out as follows - Capt Bledsoe first Capt Kenedy second - It is therefore that on all courts martial hereafter that the eight Capts of Infantry shall take rank agreeable to the above ballotting, and Captains Bledsoe command ing the light Infantry or rifle companies when ordered on the court martial with Capts of Infantry shall draw or ballot for grade - And on all parades for descipline or inspection the grade above shall be attended to - and the light troops or rifle companies be formed on the right and left agreeable to the orders of the Major of Brigade -

The above shall settle the grade of the infantry Captains, untill otherwise fixed by the order of the president of the united States

By order of the Major Genl.
Andrew Hynes
Aid-de-Camp

Head quarters on board the transports on the Mississippi
January - 29 - 1813

General order Head quarters near Natchez
Feby - 16 - 1813

The Genl. has to announce to the Infantry under his command that a disembarkation of the troops will take place at Natchez so soon as waggons can be procured for the transportation of the baggage to the cantonment - As soon as disembarked we are to pass through a polished part of our citizens - Good order, silence and polite language towards all the citizens, as well towards each other are to be religiously observed by all the detachment under pain of being punished for disobedience

of this order — The eyes of the American nation is upon us — we are the forlorn hope of the Militia of the Union on us depends the restoration of the lost reputation of the bulwark and sure defence of a free people a well organized Militia — It behoves every officer and soldier belonging to my detachment by his soldierlike conduct by his urbanity and polite attention of the good citizens of the country in order to shew them we are the protectors of their individual rights as well agt. foreign enemies as domestic Traitors ——

The Major Genl. therefore hopes, that every officer and soldier he has the honor to command will behave himself in every respect as a Gentleman and realize the wishes of their Genl. and their country —

The quarter master of the first and second regt. will proceed immediately to Natchez and procure without delay in conjunction with the deputy quarter agent sufficient number of waggons to transport our baggage to the cantonment

The detachment will immediately proceed and land opposite Natchez where they will dis-embark

By order of the Major Genl.
Andrew Hynes
Aid de-camp

Head quarters cantonment Washington Feby 18th 1813.

The commandants of regiments will each send a patrole of at least twenty men in to Washington headed by a subaltern, with orders to bring in and secure under Guard every non commissioned officer and private who have not a written permission from their commanding officer and who are found without the limits of the encampment

By order of the major Genl.
Andrew Hynes Aid-de-camp

Head quarters near Washington Feby 19. 1813

You will consider yourself under an arrest, and are to deliver y^r sword to the Major of Brigade who will wait upon you for that purpose with this order

Andrew Jackson
Major Genl

Head quarters Feby 20. 1813

The troops composing the army of Tennessee volunteers will to morrow morning at Eight oclock march to the new cantonment west of Washington

The Brigade Major will direct the line of march

By order of Genl. A Jackson
Andrew Hynes Aid de camp

The Brigade Major will call on Col^o Wm Hall for a detachment of fifteen men from his regiment and a discreet commissioned officer to command them and patrole the town of Washington and arrest and bring in all noncommissioned officers and privates belong=ing to the detachment under my command that may be found without written permits beyond the chain of centinels — Major Carroll will take the command of this detachment, and in the performance of this duty be carefull that no insult be offered to any citizen or any irregular conduct be suffered by the detachment

By order of Genl. A Jackson
Andrew Hynes
Aid de camp

Head quarters
Feby 22. 1813 —

General orders — Head quarters Feby 24 1813

To insure good order in camp, the Genl. orders that the following rules be observed for the better police of the camp untill otherwise ordered —

1 The Adjutants are to attend at the Brigade Majors at ten oclock in the morning to receive orders and make their morning reports

2 — The first Sergts will attend Adjutants quarters at eight oclock to make reports, and at half past 10 oclock to receive orders —

3. The Revillie to beat at day break at which time every officer and soldier are to rise parade and stand at their arms till the roll is called —

4 The retreat is to be beat at sun down — The roll is then to be called and absentees reported, whether officers or soldiers —

5 At Tattoo beat, the Sergts and corporals are to visit their respective squads, and report the state thereof —

6 — Every Saturday each Capt will inspect the state of his company, see that all public property commit-ed to his care can be accounted for — If a soldier looses any part of his arms or equipments, he will immediately charge him therewith reporting the said loss to his commanding officer —

7 — All Guards will be paraded at 10 Oclock in the morning and relieved every twenty four hours — The officers & citizens are to pass the lines through the day without molestation as well as all waggons engaged in public service —

8 The officer of the day will go the rounds at least twice each night —

9 The rules and articles of war forbid all officers

and soldiers from leaving their ~~post taking~~ upon guard – If a commissioned officer on pain of being cashiered – If a non commissioned officer or soldier of suffering a punishable to a court martial

By order of the Genl.
Andrew Hynes
Aid de camp

General orders Head quarters camp Jackson Mar 1. 1813

At a Genl. court martial of which Col. Jn. Allcorn is president was tried capt Benja. Hewett of the second regiment Tenn volunteers – of the charges of getting drunk on duty commencing an affray and fighting with the ensign of his company Robt. Doherty – habitual drunkeness – to all of which charges the prisoner pleaded not guilty – The court after hearing the evidence and after mature deliberation being had thereon are of the opinion that Capt Hewett is guilty of the first and third specifications of charges & and that therefore he is guilty of violating the forty fifth article of the rules and articles of war – which says, "that any officer found drunk on his guard, party or other duty, shall be cashiered" – The Major General approves the sentence of the Genl. court martial, and orders the sentence to be carried into effect

Andrew Jackson
Major General

General orders head quarters March 1st 1813 –

At a General court martial of which Lt. Col. John Allcorn of the regt. of Tennessee cavalry is president was tried Ensign Robt. Doherty of the second regiment Tennessee volunteer Infantry on the charges of getting drunk and acting disorderly and mutinously to which charges the prisoner pleaded not guilty –

General orders March 4 - 1813 -

At the Genl. court martial of Lt. Col. McAllcorn's president was tried Ensign Robt. Doherty of the 2nd Regt. Tennessee volunteer Infantry on the charges of getting drunk and acting disorderly and mutinously, to which charges the prisoner pleaded not guilty - Whereupon the court having maturely considered the evidence adduced find the prisoner Robt. Doherty Guilty of the first charge - of the second they acquit him and the court believe further that the prisoner has violated the forty fifth article of the rules and articles of war - which declares any commissioned officer found drunk on his post, party, on Guard, or other duty shall be cashiered -

Major Genl. Jackson approves the sentence of the Genl. court martial, and orders the same to be carried into immediate effect By order of the Major Genl.

Head quarters
March 4 - 1813 -

Andrew Hynes
Aid-de-camp

Head quarters March - 8, 1813 - Genl. orders

It becoming necessary for the safety, health, convenience and good order of the camp, to advance the northern and north western chain of Centinels one hundred and fifty yds, commencing on the west bank of the creek and continuing the same extention round westwardly untill they unite with the present chain on the rear of the infantry line and all persons not belonging to the camp, are hereby ordered to remove themselves and property at least half a mile beyond the chain of centinels

before one Oclock on the 9th Inst and all persons are forbidden, to sell any thing within the chain to the soldiery without special permission from the Major Genl or those authorised by him to give such permission — The Officer of the day with the Major of Brigade are charged with the due execution of this order —

By order of the Major Genl
Andrew Hynes
Aid-de-camp

General orders — Head quarters — March 11 — 1813

The officer of the day will visit the several guards during the day, as often and at such hours as he may think proper When the centinal before the guard perceives the officer of the day he will call to the guard to turn out; and the guard being paraded, on the approach of the officer of the day present their arms by command of their officer — The officer of the day may then have the roll called or make such examination as he may think proper — Not only the officer of the day — but the general is at liberty to visit the guards & make the same examination — During the night the officer of the day will go the rounds — When the officer of the day arrives at the guard from whence he intends to begin the rounds, he will make himself known as such by giving to the officer of the guard the Countersign — he will then order the guard under arms & examine it, as he may think proper = he will then demand an escort of a sergeant & two men & proceed to the next post —

When the rounds are challenged by a sentinel the sergeant will answer Grand Rounds! & the sentinel will reply - Stand grand Rounds Advance sergeant with the countersign! Upon which the sergeant will advance & give the countersign - The sentinel will reply advance rounds - allow them to pass presenting his arms - but not suffer any person to approach in reach of them —. When the sentinel before the guard challenges, & is answered Grand Rounds he will reply stand grand rounds — <u>Turn out the guard Grand Rounds</u>! Upon the sentinels calling, the guards are to be turned out & drawn up in good order with shouldered arms, the officers taking their posts, The officer commanding the guard will then order a sergt. & two men to advance toward the rounds & challenge - When the Sergt. of the guard comes within two paces of the round he is to halt & challenge briskly - The sergt's off. the round will answer <u>grand round</u>! advance Sergt - with the counter =sign

General order

Fellow Soldiers!- long since the clouds of war hovered round yr beloved country; its constituted authorities announced it in danger, and invited you to rally round the Government of yr choice for its support and defence. It was enough for such patriots as you, descended from the heroes of the revolution to know that the patrimony procured by the best blood of yr fathers was endangered - You the support of yr country - voluntarily enlisted yrselves in its defence, and tendered yr services to the President which were accepted - yr tender was on the broad basis of yr countries will, not confined within constitutional ~~limits~~, but the orders of government - War was declared - You stood panting for the call of yr government with eyes turned to the North, the seat of war ready to mingle yr strength with that of yr distressed brethren in Arms - yr representative in congress made known yr patriotism to the Government - addressed you as part of his constituents with eloquence of a Cicero (this your patriotism did not require) urged you in Mass to inroll yourselves under the act of Congress in support of a Just proper and necessary war - he pledged himself for your patriotism - Enrolled you had been and only awaited the call of your Government - An army was basely surrendered: a territory lost: men were wanted still you were not wanted. At length it was said that the inhospitable clime of the lower Mississippi was indangered by threatened invasion. The Government called: You heard. There was no clime that could damp yr ardor - The 10 Decr 1812 will be with pleasure recollected by every patriot bosom - You with the

spirit of freeman whose rights were invaded bore without a murmur the snowy blast: You entered the camp with the order of good citizens: You bore its privations like good soldiers — The alacrity with which you entered on the duty of soldiers — foretold yr Genl. That you would soon be prepared for the field: his highest wishes were realized. Orders were given to descend the river Mississippi you obeyed it with alacrity and in every act realized the wishes of yr Genl. and your country. Yr uniform good conduct: yr attention to the rights of the citizens of the Country through which you have passed, has secured to you the plaudits of the people of this country and entitle you to the esteem of and thanks of yr Genl. He knows if you had met an enemy from yr pride yr patriotism and attention to discipline — you would have gained laurels for yourselves and honor for the country from which you came —

You are now about to return to yr country and it remains for time to unfold whether you have not been shamefully forgotten by yr representative in congress

Fellow citizens in arms — we have to pass thro. a savage country — their rights must be respected and notwithstanding, yr humanity is shocked at the late unheard of brutality and murder of our brethren still it becomes us untill we are ordered by Government to withhold our hands from vengeance least we might strike the innocent with the guilty and bring disgrace and guilt upon our heads — It is therefore ordered and commanded, that neither the persons nor property of the indians be disturbed by any officer or soldier under my command while returning through that country — It is necessary for the safety

of the detachment continue together untill we arrive at Nashville -

The order of March will be daily communicated thro the Brigade Inspector -

All officers are forbidden to give any furloughs or permits to the soldiers to leave the encampment for a longer period than four hours - and then must be accompanied by a commissioned or non-commissioned officer who will be responsible for their return -

So soon as the necessary supplies are recd. from the contractors and Qrmasters departments the line of march will be taken up -

The Major Genl. having pledged himself that he never would abandon one of his men and that he would act the part of a father to them, has to repeat that he will not leave one of the sick - nor one of the detachment behind - he has led you here - he will lead you back to yr country and yr friends - The sick as far as he has the power and the means shall be made comfortable - If any one dies he will pay to them the last tribute of respect - they shall be buried with all the honors of war

Should yr Genl die he knows it is a respect you would pay to him - It is a debt due to the honest and brave soldier - it is due to every member of the detachment - The officer of the day will permit the Guards to sleep at their fires during the night keeping up a watch

Natchez March 16 1813 Andrew Hynes

Aid de camp

Head quarters Nashville
August 19th 1813

General Orders

The late attack of the Creek Indians on the almost defenceless frontiers of Mobile settlements the taking of Fort Mimms, and the indiscreminate murder of the inhabitants, amounting to upwards of three hundred, not even sparing the women and helpless Children found therein call a loud for retaliatory Vengeance, Those distressed Citizen of that frontier who have yet escaped the Tomahawk implore the brave Tennesseans for aid, they must not ask in vain, we must nobly and promptly yeald it. They are our brethren in distress, and we must not await the slow and tardy Orders of the General Government; Every noble feeling heart beats Sympathy for their sufferings and danger, and every high minded generous soldier will fly to their protection untill a regular Campaingn can be marched against those inhu-man blood thirsty barbarians

To afford the most speedy relief. the Regiment of Cavalry of the Tennessee Volunteers who already armed and Equipped will instantly march with Such Volunteer rifle Companys as can be Ready to march with them to increase their number to 900 or 1000 men the residue of the detachment of Tennessee Volunteers will hold themselves ready to follow with those troops ordered by the Govenor into the field.

It is therefore ordered that the Colo of the regiment of Cavalry of the Tennessee Volunteers tendered and adapted under the acts of February 6th and July 6th 1812 with this Regiment Rendezvous on the 24th instant at Camp Good Exchange, near Nashville their to receive arrears of pay due them fully Equipped and in Readiness to march by the most direct route to Forts St Stephans

(Signed)

Andrew Jackson
Major Genl

Nashville 24th September 1814

Sir,

In addition to the two thousand men required by my order of this date to you to be raised in the 2nd Division for the purpose of repeling a threatened invasion of the State by the Creek Indians; you will order Colo. Coffee with 500 of the Cavalry corps under his command now raised and at rendezvous into service for the purpose of aiding the people of the Mississippi Territory in repeling attacks made on them by the Creek Indians, which number of 500 completes the quota of men to be raised in the 2nd Division under the provisions of the acts of Assembly of this State passed this day autho=rising the executive to call out &c 2500 to aid the in=habitants of the M. T. to defend the frontiers of this State against the threatened invasion by the Creek Indians, and to act against the Creeks in their nation. This number 500 will be supplied under your order by the A D Qr Master and contractors.

You will also direct the A. D. Q. Master & Contractors to furnish the Necessary supplies to those mounted men and Cavalry who have voluntarily Joined Col. Coffee (Number not known) to aid the people of M. T. in the defence of their frontier. And you will also when at rendezvous at Fayetteville, or at such other place as you may deem proper, proceed to organize any unorganized corps that may apear at rendezvous under your order of the 24th to rendezvous there as a part of the 2000 men required by the act of the State of this date for me to organise — I must expect you to do this, as it is not in my power to do it in person being obliged to attend the Legislature now in session — Respectfully Willie Blount

Order

Agreeable to an order of this date which I have received from the Governor, I hereby authorise the Col. Commanding the Regiment of Tennessee volunteers ~~Cavalry~~ to organize and receive into his Regiment any Companies of Mounted Rifle men who may make a tender of their services: and to draw upon the Assistant Deputy Quarter master and Contractor for all necessary ~~forage~~ supplies for his Regiment in the expedition now ordered against the Creek Indians

Head Quarters
Nashville
24th Sept. 1813

By order of the
Maj. Genl.
Jno Read Aid de Camp

Order Nashville 24 Sept. 1813

Sir,

You will forthwith call out, rendezvous in the shortest practicable time, at Fayettsville, Lincoln County, two thousand of the Militia and volunteers of your division, and march them to repel an approaching invasion and attack to be made by the Creek Indians on the frontiers of Madison County M. T. and the frontiers of this State, which information I have this moment received by express from Capt. McClelland, of the United States Army commanding officer at Fort Hampton, communicated under cover of a letter received from Captain Braham of Huntsville

The united States contractor will by your order furnish provisions & W B Lewis Esqr. A D Q Master will furnish Ammunition and other necessary supplies in his department – You will require the muster master or inspector Colonel R Hays to muster the troops into service – Delay is inadmissable – You will observe my order of the 14th August last

Majr Genl. Andw. Jackson } Yr Obt Servt
2nd Division Tennessee Militia } Willie Blount

Head Quarters

Nashville Sept. 24th 1813

Order

Brave Tennesseans;

Your frontier is threatened with invations by the Savage foe

Already do they advance towards your frontier
with their scalping knives unsheathed & to butcher
your wives your children and your helpless babes,
Time is not to be lost we must hasten to the
frontier, or we will find it drenched in blood
of our fellow citizens.
I am commanded by his Excellency Govr. Blount,
to call into the field, at the shortest possible
day, two [illegible] thousand men of the Volunteer
infantry and militia of my division, the
undersigned therefore orders, that the whole of
his Volunteer Infantry, that composed the detach-
-ment under his command in the late Expe-
-dition for the defence of the lower County,
on monday the 4th of October next, well
Equipped for active service and the brigadier
Generals commanding the 4th, 5th, 6th, 7th and
9th Brigades, composing my division. will Respect-
-ively furnish from their brigades two
hundred men well Equipped for active service
who will Rendezvous on the said fourth day of
October, at Fayetteville aforesaid - They will be
taken from the first class for duty unless
furnished by Volunteer tender of service The
present crisis will try the patriotism of
my division your Country ~~will~~ relies
on it - your General has the utmost confi-
-dence that the full number will appear
~~at~~ on the day and at place well equipped

and Ready to meet the foe
The health of your General is Restored
he will Command in person
Brigadeer General Isaac Roberts is ordered
to take the command of the militia
The Senior Colonels John K Wynn and
Thomas McCrory — and the two senior first
Majors; and the two senior second Majors are
ordered for duty. The Volunteers will be
Commanded by their own officers
The Captains of the Respective Companies
when organized, will furnish each of them
a waggon and team to transport the
baggage &c, of their Companies the expence
of which will be paid by the assistant deputy
quarter Master

Andrew Jackson
Major general
2nd division

Nashville Sept, 25th 1813
Major John Reed is Requested forth with
to attend at the Generals head quarters
Nashville (Signed) Andrew Jackson
Major general

General Order
The assistant deputy quarter Master
will furnish & have Ready for the 4th day of
next month at Fayetteville in the County
of Lincoln, seventy Eight thousand shutted
Cattridges two thousand pounds of Lead

One thousand pounds of Good Rifle powder five thousand flints; with good covered waggons for the transportation of the same - with necessary Hospital Stores & medicins including lint Saw & bandages; Camp Equipage as Spades Shovels & mattocks with as many tents as can be conveniently attained against that day which must include as many as will secure the Sick from the [illegible] of the weather - you will ammediately proceed to deliver to the cavelry and mounted gunmen twenty Rounds of the the Cattrudges to each Rifle man half a pound powder and one pound of Lead and to each Officer the ~~[illegible]~~ necessary Stationary

Head Quarter Nashville
Sept. 25th 1813 } (Signed)
Andrew Jackson
Major General

Head quarters Nashville Sept 25th 1813
Order
The assistant deputy quartermaster will employ John Cockerill and as many hands with him as may be nessary to Repair the publick armes now in the [illegible] possesion of Stephen Cantrell Esqr and have them in Readyness in all of the ensuing week (Signd)
Andrew Jackson
Major General

Order Head quarters Nashville Sept 25th 1813

the Collonel Commanding of the Volunteer Cavalry will forthwith detach by Companies or Battalions as soon as paid under Command of a Lieutenant Colonel and Major Lauderdale who are to reach Huntsville by forced marches let it be rumered so that it may reach the Creeks that this force is to march for the protection of Mobile and that it is the whole force organized your order of march will be delivered to your self under the belief you will be able to march on monday with the whole detachment

Andrew Jackson
Major General

Order Head Quarters Nashville Sept 25th 1813

On the 4th day of October next two thousand militia and Volunteers are ordered to Rendezvouse at Fayettsville Lincoln County the Contractor is Requested to furnish them with ten days provisions at that place

Andrew Jackson
Major General

Order

Colonel Coffee will provide forthwith his Regiment of Volunteer Cavalry and Mounted riflemen that have attach^d themselves there to to fort St. Stephens on the Mobile by the way of Huntsville; at Huntsville you will make a halt and form an incampment, at Such point and places will be best calculated

for the defence of the frontier and there Remain while it can ascertained whether the Indians are in force in that neighbourhood and untill the Volunteer Infantry and Militia ordered into service can reach the borders of that frontier. From Huntsville you will proceed by the nearest and best rout to Fort St. Stephens and when you reach that point you will Report your self to the Commanding General of that district or that frontier. you will be carefull and vigilent to prevent ambuscades or surprise on your march. Strong guards by night and carefull spies and patroles by day can alone prevent this if danger presents itself let me suggest the propriety of Marching in three Columns the right and left at least 60 yards distance from the centre while at Huntsville you will communicate with me by Express before you proceed your march agreable to this order

Andrew Jackson
Major General

Nashville Sept 26th 1813

Sir

Inclosed you will receive marching orders you will understand that they are to be shown to your officers but you are not to proceed from Huntsville

untill you receive further orders from me — when you reach Huntsville you will endeavor by some Confidential individual to find out where the body of Creeks are collected and as soon as rec. Communicate the same to me, Col. Perkins will aid you in attaining this information Should I Receive any information by Next mail from Mobile, I will communicate it by express, on the 6th of next month I shall be at fayetteville where I shall expect to here from you — I am very Respectfully &c

Andrew Jackson

Colo. Jno. Coffee

Head Quarters Nashville
26th September 1813

Address,

The undersigned cannot pass over the present occasion without expressing to the brave, the Patriotic Regt. of Volunteer Cavalry, and those brave volunteers who have united their force with them the pleasure he feels, at their promp attention to his call to the field; yes my brave fellows you have realised my best hopes and those of your country, you at the first call faced the snowy blast without murmer, on the second, hearing that your neighbouring fellow citizens were endangered, that the ruthless savage had stained the margin of the River Mobile with blood of the innocent

wives and children of the citizens of the Territory, you promptly face the burning sands of the South to seek retaliatory vengence upon those Hellish blood hounds, and Allies of Great Brittain. —

You now enter upon active service, let me assure you that your own safety, the good of ~~your~~ the service, and a continuation of that merrited good character you have obtained and enjoy, entirely depends upon good order and strict subordination in Camp, and attention to discipline: when we turn our attention to the North West, we can trace all the defeats, all the horrid masacry to the want of subordination and discipline, without you cannot hope for success; with it you cannot be beaten by the Enemy you have to face; your General from experiance has full confidence you will yield strict obediance, and move like a band of brothers; and not permit strife to dwell amongst you.

Your Genl. will soon overtake you, and watch over you like a fond Father, you will in return, yield that obediance, that is due to his orders as such

Andrew Jackson
Major General

Order

Head Quarters Nashville Septr. 27. 1813

The assistant deputy Quarter Master will furnish the Regiment of Volunteer Cavalry

and Mounted Gun men there to attached with two axes for each company, with pack horses and drivers, to transport the Same and have them at Huntsville with out delay there to said Regiment of Volunteer mounted Gun men

(Signed)

Andrew Jackson
Major General

Head Quarters
Nashville Sept. 27th, 1813

Order

The assistant deputy quarter Master Genl. will deliver Doctor James L Armstrong one of the tents placed in his ~~care~~ possession by me, Subject to my order, and take his receipt for the Same,

(Signed)

Andrew Jackson
Major General

Order

Capt. Doaderick will proceed with his company of Artilary to fort hampton and prepaire two peices of ordinance sixes or fours if they can Be procurd, or one of each and have them Ready when the army Marches if the ordinance can not be procured at Fort Hampton,

He will then proceede to huntsville
and git the four pounder at that place
He is authorised procure a waggon for
transporting the baggage &c of the Company
and to call on the Contractor for six days
provisions

(Signed) Andrew Jackson
Major General

Head Quarters
Nashville Sept 28th 1813

Order
The police of the camp is to be
establised this day ____ oclock P. M.
the cain of centinals are to be marked
and the centinals posted precisely at
____ oclock this evening —
no Sutler is to be permitted to sell any
Speritous Liquors to any Soldier without a
permission in writing from one of his
officers under the penalties prescribed
by the rules and articles of war
no citizen to pass the chain of centinels
after Retreat beat in the evening without
the ritten permission of the Commanding
General or officer of the day untill Beat in
the morning at all other times to pass and
Repass unmolested.

Drunkenness being the bane of all orderly encampments is positively forbidden, both in officers and Soldiers, of officers under the penalty of immediate arrest of a Pri=vate of being put under Guard untill they are liberated by the Centance of a court Marshal, at Revellee beat all Soldiers & Officers are to appear on the parade with there arms and accoutriments and there to Remain untill the company exercise is gone through, and they are dismissed by their proper officers on parade Silence is the duty of a Soldier and is Strictly Commanded no Soldier to leave the Camp without the permission of his officer in waiting — no officer or Soldier to lie out of camp without the written permission of the Command=ant of the regiment, no Soldier without the written permission of the Commandant of his Company

(Signed)

Andrew Jackson
Major General

Fort Strother 8th December 1813
Major Strother and Major west

will proceed without delay to value certain horses in Captain John Gordans Company of Spies in my army and make Report thereof to me

Andrew Jackson
Major Generall

Fort Strother December 8th 1813

Pursuant to the order of Major General Andrew Jackson of this date we proceeded to value certain horses & Muels in Captain Gordans Company of Spies as follows, Viz One Bay horse the property of William Kendle about six years years old both hine feet white branded with K on the left buttock upwards of fifteen hands high appraised to ---------------- $100.00

One Black mare the property of Jason Hopkins about 11 years old 15 hands high appraised to ---------------- $65,00

One darke Brown mule about the ordinary size the property of Lieutenant James Patterson appraised to ---------- $90.00

One Sorrel Mule of common value appraised to ---------------- $60,00

George West
John Strother

Head Quarters Fort Strother
21st December 1813

General Order}

Col. J. K. Wynne & Majr. J Read will proceed to value the waggon & team of Charles Anderson now in the public service on the expedition against the hostile Creeks & report thereupon. By Command. J. Read Aid &c

21st December 1813

The undersigned agreeable to the above order authorised have this day examined and valued the waggon & team shewn to us as Charles Andersons by the Q. M. master & consider the value thereof including the gear & apendages to be 275$ Signed J. K. Wynne
J. Read

Attest
C. Foster

Organazation of the camp
Camp Blount Oct. 7. 1814

Fellow Soldiers

The period so ardently desired & so long looked for by you is arrived, an opportunity is at length afforded you of manifesting you devotedness to your country & avenging the cruelties committed upon our defenceless fellow citizens by the infatuated Creeks, we are about to furnish them a lesson of awfull admonition, we are about to teach them and their faithless allies that there is a point at which forbarance ceases to be a virtue, & that mercy may be long indulged without implying either cowardice or insensibility to wrong— They stood in need of such a warning.

In proportion as we have borne with their insults and submitted to their privations, have they been multiplied in number and aggravated in atrocity; But the measure of their offences is at length filled. The blood of our women and children recently spilled on the Mobile by these inhuman butcheries shall not call for vengeance in vain. Their towns shall be [illegible]. our borders must, no longer be disturbed by the war-hoop of the ruthless savage, or the cries of the suffering victim. That torch which they have lighted up in our frontiers, must now blaze in the heart of their own country. They shall see by its beams the gleamings of that sword which their cruelties have compelled us to unsheath. It is time they should feel the weight of a power they have so long insulted & derided; and which because it was merciful they believed to impotent. But how shall we wage this war so long forborne & so loudly called for, by retributive justice. Shall we imitate the example of our enemy in the disorder of their movements & the savageness of their warfare? Is it worthy the character of American soldiers who take up arms to redress the wrongs of their injured country to assume no better model than that furnished them by barbarians? No, fellow soldiers, great as are the grievances which have called us from our homes, we must not permit the dominion of unruly passions to endanger the cause we have undertaken to support,

or tarnish that Reputation which we shall carry along with us we must and will be Victorious; but we must conquer as men who owe nothing to chance, & who in the midst of victory can still remember what is due to Humanity

we will commence the campaign by our inviolable attention to discipline & subordination without a strict observance of these victory must ever remain uncertain; and ought hardly to be exulted in even when obtained — what miscarriages have not our armies already experienced from a want of discipline and subordination — scarcely a defeat that has disgraced our armies in the north and humbled the once proud name of American but may be traced to this source! — how glorious will it Be to retrieve that caracter which they have sacraficed; and restore to its original brightness that escutchion which has been so foully blotted. who will not rejoice to have belongd to an army which was the first to give a turn to the scale of war — your General who knows the ardour which inspires you, already anticipates the triumphs which your strict observance of discipline and subordination will render certain, for the establishment of the police of his camp announces the following General order Viz

the police of the camp is to be established this day at ten o clock; A. M.

The chain of centinels are to be marked and the centinels posted precisely at

ten oclock this morning No Sutter Shall be permitted to sell Speritous liquors to any Soldier without a permission in writing from one of the commissioned officers, under the penalties prescribed by the rules and articles of war No citizen Shall be permitted pass the chain of centenals after Retreat beat in the evening untill revilee in the morning, without the written permission of the commanding General or officer of the day — at other times Such permission Shall not be Required

Drunkeness the Bane of all orderly encampments is positively forbidden, both in officers and Soldiers — in officers under the penalties of immediate arrest, — in a private of being put under guard, there to Remain untill liberated by court-marchel

At Revilee beat all Soldiers & officers are to appear on the parade with their armes & accoutraments in proper order; there to Remain untill the company exercise is gone through with, and are then to be dismissed by their propper officers

On parade Silence is the duty of a Soldier, It is therefore positively commanded — no Soldier Shall leave the camp without the permission of his officer in writing — No officer Shall be out of camp without the permission

of the commandant of his Regiment or Commander in chief

No Soldier shall be out of camp without the permission in writing of the comdt of his Regiment

No guard shall lie down or sleep during their guard hours

Lieut Robert Searcy is there by announced as aid de camp in the room of Andrew Hynes absent

Lieut James W Sittler is appointed Assistant Adjutant General.

Lieutenant Howel Tatum

Assistant Deputy quarter master and George Martin, secy all officers & Soldiers are commanded to honor and obey them as such ~~Martin~~

By order of the Major General
John Reid aid de camp

Lieut. George ~~Black~~ Cunningham is appointed Secretary to the Majr. Genl. in the room of Mr George Martin who is permitted to be absent on necessary business.

Andrew Jackson
Major General

May 1st 1814 - Fort Strother

Paid Jame Fife for finding horses as pr acct.—

Paid Jame Fife and other Indians, Pilots to Emuckfa for their services as such $25.00

Pilots to search the site for Fort Williams —— 10.00

From Fort Williams to Tohopca 25.00

From Fort Williams to Fusholehikey or Hoothle-
-water on the Tallapoosa to the Hickory
ground & back to Fort Williams —— } —30.00

To the Indian as a guide to Genl. Johnson
to the Cohoba . . . . . . } —15.00

To Mr Gillard Carpenter to Genl. Johnson —— 15.00

Thomas Carroll's Compositions

On Arithmatick

Arithmetic is the most important part of education on account of its practical utility and the desciplice it gives to the mind. It is very ausfull to many. It is derived from the greek word ARITHMOS a number, or arithmea to number the Greek boys cyphered by letters. The Roman boys by number. The five cardinal rules of arithmetic by which enter into all the other rules are Numeration, Addition Subtraction Multiplication and Division. The word product means any thing produced. The divisor means the number by which the dividend is divided. Dividend means the number to be divided. Quotient means the result of division. Multiplicand the number to be multiplied. The multiplier the number by which the multiplicand is multiplied. The difference between Single and Compound Addition is that Single Addition teaches to add numbers of one denomination and Compound to add numbers of several denominations together the same with Subtraction Multiplication and Division. The meaning of integer is the whole of any thing of fractions is the part, of vulger is common, of decimal is numbered by ten of the numerator is that number which serves as the common measure to others. Denominator fractional numbers of promiscuous questions mingled preceedings. The Figures 1 2 3 4 5 6 7 8 9 0 are called

Arabic figures because they seem to have been borrowed from the Arabians though the Arabeans say that they first recived them from India first used in Europe in 900 A.D. They are read and understood by all Europan nations and are therefore a kind of universal language

Thomas Carroll
Nashville may 9th 1823

On quill Writing

Quills not being used by the ancient Hebrews Greek and Romans seems strange; for they had geese as cant be proved from the bible and from Greek and Latin writers; Χ Ν Ν the Greek word for goose and Anser the Latin. The ancients had two kinds of pen one made of reeds or a kind of hollow grass to write on parchment papyrus or leavs. The most beautifull ones grew in Egypt and Italy. They are still used by the Turks and by other Eastern nations; thee reeds are split and formed to a point like our quills. But it is impossible so clear or so fine strokes with them. The other an iron pen sharpened at one point to write on wax slates. The other being broad like the handle of a teaspoon to correct or smooth down the wax. Quills were first known to be used as writing instruments in AD 636. A poem on a goose quill pen was written by Aurelius AD 650

Proceedings of a General Court Martial held at Nashville Tennessee on the 19th Oct. one thousand eight hundred and fourteen.

1814, Oct. 19

27

[illegible]

Proceedings of a Genl Court Martial held at Nashville Tennessee on the nineteenth day of October 1814 by vi[rtue] of the following orders —

Insp.t Gen.ls Office } Head Quarters Town of Mobile
7th Military Dist } 16th Sept.r 1814

General Orders

A General Court Martial to consist of five members and three Supernumeraries will convene at Nashville Tennessee at such time as Col. Anderson may deem proper — Major F. W. Armstr[ong] of the 24th Infy. is hereby appointed President of the General Court Martial — The Judge Advocate will be appointed by Col. Anders[on] and the other members of the Court will be detailed under his direction — By command of Major General Jackson

A. P. Hayne. Ins. Genl. &
Acting Adj. Genl.

Nashville Oct.r 7th 1814 —

In pursuance of the foregoing Gen.l Order the General Court Martial will convene at Nashville Tennessee on Mon[day] the 17th day of Oct.r instant —

Major F. W. Armstrong — — President —

Maj. J. Doherty }
Lieut B Wright } Members — { Capt. B. Johnson
Lieut. B. Williamson } { Lieut. J. P. Fabrot

Lt. Mr. Britton }
Lt C. N. Lewis } Supernumeraries —
Lt Elisha Walker }

W. P. Blount J. Advocate — W. P. A[nderson] Col.

Cantonment near Nashville —
Octr 16th 1814 —

The detail for the Genl. Court Martial made by me on the 7th Octr. instant in pursuance of the General Order of Major General Andrew Jackson dated at the town of Mobile on the 16th Septr. 1814 being incorrect & the good of the service requiring the duty else-where of some of the officers then detailed, said Court is hereby dissolved; and in conformity to the aforesaid Genl. Order the Genl. Court Martial therein ordered will convene at Nashville on Wednesday the 19th day Octr. instant —

Maj. F.W. Armstrong President.

Capt. B. Johnson
Capt. F.L. Amelong } Members — { Capt. U. Allison
Lieut. B. Wright

Lieut. J.S. Williamson
Lieut. Abr. Britton
Lieut. C.N. Lewis } Supernumeraries

Wm. Donnison Judge Advocate —

Wm. P. Anderson Col. 24th Infy.

Oct 19th 1814 —

In pursuance of the foregoing orders the following members attended to wit. —

Present.

Capt B. Johnson
Lieut B. Wright } Members. —

Lieut. J.S. Williamson — Supernumerary. —

Wm. Donnison Judge Advocate —

Major F.W. Armstrong President, Capt F.L. Amelong & Capt. U. Allison, members, Lieut Abr. Britton & Lieut C N Lewis Supernumeraries being absent the aforementioned members ~~adjourned~~ adjourned to the

20th day of October to meet at 10 O'Clock A.M. —

Oct 20th 1814

The court met pursuant to adjournment —

Present.

Capt. B. Johnson Lieut. B. Wright	Members.	Capt Allison
Lieut. A. Britton Lieut. C. N Lewis	Supernumeraries.	

Wm Donnison Judge Advocate —

Maj. F. W. Armstrong president, Capt. F. L. Ameling member & Lieut. J. S. Williamson Supernumerary being absent, the court adjourned to meet at Thomas Childress Hotel on Friday 21st. Octr at 10 O'Clock

Octr 21st 1814 —

The court met pursuant to adjournment —

Present —

Capt B. Johnson " B Wright	Members	Capt. U Allison —
Lieut. A. Britton Lieut. C. N Lewis	Supernumeraries —	

Wm. Donnison Judge Advocate —

Maj. F W Armstrong president, Capt F. L. Ameling & Lieut. J. S. Williamson supernumerary being absent, the court adjourned to meet on Monday Octr 24th at 10 O'Clock. A.M. —

Oct 24th 1814

The court met pursuant to adjournment —

Present —	Supernumeraries.
Lieut. B. Wright — Member	Lieut. J. S. Williamson Lieut. A. Britton Lieut. C. N. Lewis

Wm Donnison Judge Advo[cate]

Major F.W. Armstrong president, Capt B Johnson Capt F.L. Ameluug Capt U Allison members being absent, the court adjourned to meet on Wednesday 26th Octr. at 10 O'Clock A.M. —

Oct 26th 1814 —

The court met pursuant to adjournment —

Present.

Capt. F.L. Ameluug } Members — { Capt B. Johnson
Capt U. Allison } { Lieut B. Wright

Lieut. J.S. Williamson }
Lieut A. Britton } Supernumeraries —
Lieut. C. N. Lewis }

Wm. Donnison Judge Advocate —

Maj. F.W. Armstrong president being absent the court adjourned, to meet on Saturday the 29th Octr. at 10 O'Clock A.M.

Oct 29th 1814

The court met pursuant to adjournment —

Present.

Capt. F.L. Ameluug } Members { Capt B Johnson
Capt U. Allison } { Lieut B. Wright

Lieut J.S. Williamson }
Lieut. A. Britton } Supernumeraries —
Lieut C N Lewis }

Wm. Donnison Judge Advocate

Maj. F.W. Armstrong president being absent the court adjourned to meet on Monday 31st October at 10 O Clock. A.M.

Oct 31st 1814

The court met pursuant to adjournment —

Present —

Capt F. L. Amelung } Members. { Capt B. Johnson
Capt. U. Allison } { Lieut B. Wright

Lieut J. S. Williamson }
Lieut. Mr. Britton } Supernumeraries —
Lieut. C. N. Lewis }

Wm. Donnison Judge Advocate —

Major F. W. Armstrong president being absent, the court adjourned to meet on Wednesday 1st Novr. at 10 OClock. A. M. —

Novr 1st 1814 —

The court met pursuant to adjournment —

Present —

~~Major F. W. Armstrong President~~

Capt F. L. Amelung } Members — { Capt B. Johnson
" U. Allison } { Lieut B. Wright

Lieut. J. S. Williamson }
Lieut. Mr. Britton } Supernumeraries —
Lieut C. N. Lewis }

Wm. Donnison Judge Advocate —

Major F. W. Armstrong president being absent the court adjourned to meet tommorrow morning at 10 OClock —

Novr 2d 1814.

The court met pursuant to adjournment —

Present

Major F. W. Armstrong president

Capt. F. L. Amelung } Members — { Capt. B Johnson
Capt. U Allison } { Lieut B. Wright

Lieut J. S Williamson }
Lieut Mr. Britton } Supernumeraries
Lieut C. N Lewis }

Wm Donnison Judge Advocate

The court being duly sworn in the presence of the prisoner proceeded to the trial of Lieut Caleb S. Fobes of the 24th Regt. Infty, who being previously asked of he had any objections to the members named in the Order convening the court, & replying in the negative, was arraigned on the following Charges & Specifications preferred against him by William P. Anderson Colonel of the 24th Regt. Infty —

Charges and Specification exhibited against Caleb S. Fobes Lieut. 24th Infantry this 5th day of Augt. 1814 —

Charge 1st. Disobedience of orders and unofficerlike conduct —

Specification 1st. In this that between the 30th June and the 1st. of July he absented himself from his recruiting rendezvous then at Fayetteville whither he had been previously ordered by the Colonel superintending the recruiting service for the 24th Regt. and where he had been some short time stationed in the service —

Specification 2d. In also this, that he the said Caleb S. Fobes 1st. Lieut. in the 24th Regt. did contrary to the express orders and instructions given him by Colonel Wm. P. Anderson superintending the recruiting service for the 24th Infty in West Ten., while so stationed at Fayetteville fail & altogether neglect to make his weekly reports from the 11th to the 30th June directed to the Colonel at Nashville —

Specification 3d. In also this that the said Caleb S. Fobes 1st. Lieut. 24th Infty whilst stationed at Fayetteville as aforesaid did altogether fail & neglect to make any returns or reports whatever during the whole month of July —

Specification 4th. In also this he the said Caleb S. Fobes 1st. Lieut as aforesaid has given the most unequivocal evidence of his want of capacity in making out his bounty and

premium accounts, and on the 30th day of April another on the 7th day of May, another on the 14th day of May, another on the blank day of May and another on the 22d day of May in all of which he has blended his contingent account and in the mean time made no other returns of the contingent money in his hands —

Specification 5th. Also in this that he the said Caleb S Fobes 1st Lieut as aforesaid, did on the 15th day of July contrary to the 16th Article in the recruiting regulations enlist into the service of the U States Saml. Mc Cauley a minor not more than eleven years old —

Specification 6th. Also in this that the said Caleb S. Fobes 1st Lieut. as aforesaid did whilst stationed at Fayetteville (to wit) in part of the month of May and all the month of June employ a physician contrary to the 13th. Article of the rules and regulations dated the 2d. day of May 1814 without special agreement in writing and did afterwards pay over to him the extravagant sum of about seventy three dollars out of the contingent money in his hands, which was to all intents and purposes a misapplication of the public funds in his hands, notwithstanding he had only three or four recruits to be visited and attended to the greater part of the time —

Charge 2d. Ungentlemanly conduct. —

Specification — In this that he the said Caleb S Fobes 1st Lieut. as aforesaid did on the 4th day of August solicit Capt. James H Campbell of the 24th. to place the aforesaid Saml. Mc. Cauley on the muster rolls of the detachment

mustered 31st July at Camp Anderson as a private waiter and that the said Caleb J Fobes now holds in his possession the said Saml. Mc. Cauley as a private waiter —

Wm P. Anderson
Col. 24th Infy
Prosecutor

To which the prisoner pleaded not guilty —

~~Colonel~~ Wm P Anderson of the 24th Infy being duly sworn on the part of the prosecution, states that shortly after the 1st July Lieut C J Fobes reported himself to him in Nashville; & said he was direct from Fayetteville — This deponent also says he did not order said Fobes to leave Fayetteville at that time, he further states, that he received at no time between the 11th & 30th June any weekly returns from said Lieut Fobes, who was then stationed at Fayetteville — Nor did he the said Colonel receive any weekly returns during the month of July from said Lieut. Fobes — As to the 4th Specification the accounts are offered, annexed and Numbered 2. 3. 4. 5. 6. & 7. the prisoner having admitted and acknowledged the signatures — Said accounts were transmitted by said Fobes — The Colonel also knows the facts stated in the 5th Specification are true — He the said Lieutenant Fobes also informed the said Colonel that he had engaged a physician at Fayetteville and the said Lt Fobes never shew to the said Colonel any written contract for the same — altho he exhibited the Physicians account for adjustment —

Question by the Court — Did you furnish Lt Fobes with the necessary instructions, regulations and forms, when ordering him on the recruiting service?

Answer — I did with all I thought were neces-

sary, the prisoner has them in his possession —

Question by the Court — Did Lt. Fobes state any reason or motive, which led him to leave his station?

Answer — He did, and alledged for a reason, that he was out of recruiting funds —

Question. In what manner did you receive Lieut. Fobes on his arrival, & did you mention any thing about his neglecting to make out his reports? —

Answer — I recevied him as usual furnished him with funds, & I do not recollect suggesting any thing to him with regard to his neglecting his returns — I permitted him to return with money for Hamilton for the good of the service, but at that time determined to arrest him at a convenient moment —

Question — Was Saml. McCauley rejected by you and if so when?

Answer — He was rejected by me on the 31st. July

Question by the Prisoner — In what situation was my health when I arrived in Nashville?

Answer — Convalescent —

Question — Did you not tell me to go back and be particularly careful of my health, for you wished me to go on with the company that was shortly to be organized?

Answer — I did, & added I wished him to double his diligence in the recruiting service —

Question — Did you not then direct me to have the receipts filled up in my own name for bounties and premiums

Answer — I did. —

The court adjourned to meet tommorow morning at 8 O'Clock —

Nov 3rd. 1814 —

The court met pursuant to adjournment —

Present

Major F. W. Armstrong President —

Capt. F. L. Amelung Capt U. Allison	Members	Capt B. Johnson Lieut B Wright
Lieut I. S Williamson " Mr. Britton " C N Lewis	Supernumeraries	

Wm Dennison Judge Advocate —

Capt J. H. Campbell of the 24th Regt Infy being duly sworn on the part of the prosecution states, that he recollects Lieut. Fobes asking him to place Saml. McCauley on the Muster rolls of the detachment mustered on 31st. July, on or about the 4th August as a private waiter —

Question by the court — Did Lieut Fobes request you to muster S. McCauley as his private waiter for the month of July or any part thereof? —

Answer — He did —

Question Did Lt Fobes tell you he employed said McCauley as a private waiter previous to his rejection?

Answer — He did not —

The court adjourned to meet tomorrow morning at eight O'Clock — —

Novr 4th. 1814

The court met pursuant to adjournment —

Present

Major F. W. Armstrong President —

Capt F. L. Amelung } Members { Capt. B Johnson

Capt Uriah Allison } Members { Lieut. B. Wright

Lieut J. S. Williamson }
Lieut. Abr. Britton } Supernumeraries
Lieut. C. N. Lewis }

Wm Donnison Judge Advocate

Col. W. P. Anderson of the 24th Infy. having been called on the part of the prisoner answers as follows.

Question by the prisoner — Was not Alexander Hamilton at the time you ordered me to Fayetteville a private citizen?

Answer — He had been appointed as an Ensign previously; but the Senate had rejected the appointment, & at that time was in a state of suspence.

Question — Were you not notified from the war department at that time, that his appointment was rejected?

Answer. — I was notified from the war department in all the months of April or May —

Question. — Do you know that I was absent from Fayetteville on the 30th of June or the last of July?

Answer. — I do not know the fact, otherwise, than I stated in the body of my previous testimony.

Question. — Did you, when I went to Fayetteville, give me any other instructions, than what I now produce — Annexed and marked **A.B.C.**?

Answer. — I do not recollect that I did.

Question. — Did you ever transmit to me any instructions at any time, respecting the recruiting service? —

Answer — Not that I recollect. —

Question. — Did you not at any time receive all the necessary weekly returns and accounts from the 11th to the

30th June? —

Answer — I did after you were specially ordered, on the 3d August. —

Question — Did I not account to you for the contingent fund in my hands, since April to the last of July?

Answer — I do not know that you did account in any other way, than having blended the contingent account with the account for bounties and premiums — —

Question — Did you ever previous to my arrest state to me that my accounts were informal? —

Answer — I do not recollect that I did. —

Question — Did you inform me at any time, that I was neglectful or remiss in any part of my duty from the 22d of April until my arrest?

Answer — I do not recollect that I did, except as to tardiness in the recruiting service —

The prisoner having none other but written testimony, offered in his defence the depositions of Charles McKinney, John V. McKinney, A. M. Lusk, & Elliot Hickman, duly sworn to and authenticated, which are hereunto annexed and marked G together with orders of Col. W. P. Anderson dated 5th July 1814 & 3d August 1814. —

The testimony having been heard the prisoner requested the indulgence of the court for two days to prepare his final defence, which was accordingly granted —

The court then proceeded to the trial of Lieut. Elijah Haney of the 24th Inff. on the following charges & Specifications.

Charges & Specifications prefered against 3d Lieut Elijah Haney of the 24th Regt. Inff. by Major Walter H Overton of 3d Rifle Regt. –

Charge 1st Conduct unbecoming the officer and the Gentleman.

Specification 1st Permitting a Mr Jones a citizen sometime in the month of June last at or near a Capt Bradley's in the county of Smith to abuse, degrade & insult him the said Lt Haney in the presence of numerous citizens in the most outrageous manner without resenting it. –

Specification 2d Permitting a Major Conn on or about the 14th of July last 1814 at Gallatin in the State of Tennessee to abuse degrade & insult him sd Lt Haney without resenting it in a proper manner –

Specification 3d – Permitting a certain Capt. Mathew Neal on or above the 6th Oct. 1814 at the races near Henderson's Mills in the County of Sumner to collar abuse & insult him in the most unparalleled manner in the presence of many citizens, the said Lt Haney failing to resent it in any way.

Charge 2d Breaking his arrest on or about the 11th Oct 1814 at Gallatin in the State of Tennessee –

W. H Overton
Major 3d Rt. Rifle

To which the prisoner pleaded not guilty.–

John D Ragland being duly sworn on the part of the prosecution answers as follows–

Question by the court– Do you know that Lt Haney suffered one Jones at Capt. Bradley's to abuse degrade & insult him.

Answer– I do, & that Jones told him he could flog him, for he was a better man, this in the presence of a number of people–

Question– Was Lt Haney armed in any way?

Answer– Not that I know of, except he had a horse whip in his hand.–

Question– Was Jones armed?

Answer– I believe he was not, but in the course of the dispute Mr Jones procured a whip–

Question. What is the general character of Mr Jones ——

Answer– He is a respectable young man–

Question by the prisoner– Had not Jones been drinking on that day?

Answer– I believe he was sober at the time of the dispute–

Lieut A Britton of the 24th Infy. being duly sworn on the part of the prosecution says, that on the night of the 4th July last he knew of very insulting language being used by Major Conn toward Lt Haney, language that any Gentleman, would think insulting– I think that Lieut.

Haney replied that he was drunk and a fool; & I believe said Conn was intoxicated at that time - Major Conn I believe is of good standing in society; but some subject to intoxication and quarrelsome when in that state - That he would not use that language when sober without provocation - Lieut. Haney during that evening gave no provocation, as I recolect -

Question by the court - Do you not think it would have attracted your attention, if Lieut Haney had given provocation? -

Answer - I do - Lieut Britton further states that Major Conn had differences with other persons on that evening; and that Lieut Haney was cool on that occasion -

Several witnesses on the part of the Prosecution being absent and the Prisoner having consented to the examination of the witnesses on his part, he having no objection to the introduction of witnesses on the part of the prosecution hereafter, James Jones was duly sworn on the part of the prisoner & states, that some time in June at a gathering at Capt. Bradley's in Smith County, he was informed that Lieut Haney intended to horsewhip him in consequence of a dispute that occurred the day before, & he went to Lieut. Haney and asked him if he had threatned him, & he denied it; and afterwards he was again informed by other persons of the same threat, and went again to Lieut. Haney & he again denied it, whereupon he called him a liar & a rascal - He appeared to be offended by his looks, but said nothing in

answer to it – The next day Lieut Haney called upon me at Carthage, & called me into his room – We sat some time, when Lieut Haney observed, that as we had fallen out the day before he was sorry for it, that we had always been good friends & wished to remain so – that he had concluded to say nothing about it, if I would not; & called something to drink. –

Question by the Court – Was any one present when you went into Lt Haney's room besides yourselves?

Answer – No. –

Mathew Neal being duly sworn on the part of the prisoner states, that on or about the 6th Octr at the races near Henderson's Mills, a dispute arose between Lieut Haney, and myself, when Lieut Haney used toward me hard language, upon which I returned to him as I believe some very abusive language – The affair then dropped & I have heard nothing more of it since. –

The court adjourned to meet tomorrow morning at eight O'Clock –

Novr 5th 1814 –

The court met pursuant to adjournment –

Present –

Major F. W. Armstrong President –

Capt. F. L. Umelung, Capt. U. Allison, Capt B. Johnson, Lieut B Wright – Members

Lieut J. S. Williamson, Lieut A. Britton, Lieut C N Lewis – Supernumeraries

Wm. Donnison Judge Advocate

The following additional charges & Specifications against Lieut. C.G. Fobes were offered to the court for consideration—

Additional Charges & Specifications exhibited against Caleb G. Fobes Lieut. of the 24th Regt. Infy., this 4th day of Novr 1814—

Charge 1st Disobedience of orders & unofficerlike conduct.—

Specification. 1st In this that between the 1st & 7th day of July 1814, he absented himself from his recruiting rendezvous then at Fayettevile, whither he had been previously ordered by the Colonel superintending the recruiting service of the 24th Regt. and where he had been for short time stationed in the service—

Charge. 2d Ungentlemanly conduct.—

Specification 1st In this for attempting to prove the fact that Doct. Charles Mc Kinney had been employed as a physician by him, to attend the recruits at Fayetteville and at the time, that such employments or engagement took place, an agreement in writing was made between said Fobes & Doctr Mc Kinney agreable to the 19th Article of the rules & regulations dated on the 2d day of May 1814 from the war department, when in truth and in fact no such agreement was then entered into in writing as alledged by said Lt C.G. Fobes—

Specification 2d — For combining with Doct. Mc Kinney to

to prove a fact, by antedating such agreement as said 13th article of the rules and regulations require; All of which is evident by reference to said Mr. Kinney's deposition taken before S. Barns Justice of the Peace of Lincoln County a part of which deposition is in the following words & figures to wit – Question by Lieut Fobes – At what time did I agree with you to attend the recruiting rendezvous at Fayetteville – Answer I was employed by Lt Fobes on the 18th June and continued until the 24th July by agreement – Question by Lt Fobes – Was that agreement in writing – Answer – It was &c.

W Pendergon
Colo. 24th Infy
Prosecutor

The court having considered the said charges and Specifications, reject them, in consequence of their having grown out of the testimony in the trial; particularly out of the defence of the prisoner; And having been introduced after the conclusion of the testimony –

The court adjourned to meet tomorrow morning Ens. Covington & Lieut Hibbitts witnesses on the part of the prosecution in the case of Lt Haney being absent. –

Nov. 6th 1814

The court met pursuant to adjournment –

Present

Maj. F. W. Armstrong President

Capt. F. L. Ameling }
Capt. U. Allison } Members { Capt B. Johnson
{ Lieut B Wright

Lieut. J. S. Williamson }
Lieut. Abr. Britton } Supernumeraries
Lieut. C. N. Lewis. }

Wm. Donnison Judge Advocate

The court in consequence of the absence of Ens.n Covington and Lieut.t Hibbitts witnesses for the prosecution against Lieut Haney, proceeded to hear the defence of Lieut C. J. Fobes.

Mr. President & gentlemen of the Court

It has been with anxious solicitued during my arest that I might speedily of had it in my power to aquit myself by evidence before a proper tribunal, of the Charges and specifications exhibited against me by my Col. Command.t The hour awaits me to shew to a court institueted, of whom some have served in the same wilds. Yes, in the same Regt. with myself, who has had an opportunity to have marked my conduct. Yes Mr. President I have had the honor to serve under your immediate command. And who I am concious viewed every my acts with an eye of military scrutiny. Under these impressions Gentlemen mixt with a sense of your understanding, be your decision what it may I shall rest satisfied that it corresponded with your belief of correctness. I only remark further, that I hoped to have showed to this court that those charges & Specifications caries with them strong features of oppression to

force me from a service by an individual when my country have thought me worthy of such her trust. The Col. is deceived in the man he has wished to oppress - Yes Gentlemen my prosecutor and comadants prepossessions are strong, they are uncontrollable, even by himself. Otherwise his understanding never would of prompted him to have exhibited those unfounded accusations against me, but I hope I have produced evidence to the satisfaction of every member of this court, which I shall touch on, that will lay them as harmless to sleep, as tho they had sprung from the pen and passions of a hotheaded boy -

~~With these~~ preliminary observations, I will proceed to a short investigation of the charges which have been exhibited against me and also the evidence which has been received to support them -

1st is Disobedience of orders and unofficerlike conduct - 1st Specification is that betwene the 30th day of June and the first day of July last, I absented myself from Fayetteville my recruiting rendezvous without the orders of my commanding officer - To this charge I can only answer, that it is absolutely groundless, supported by no proof and disproved by several witnesses - The second Specification is that between the 11th and 30th of June 1814 I failed to make a weekly report to my commanding officer - To this charge it is only necessary to remark, that during the

whole of that time I was confined by a severe indisposition & thus rendered inable to make those returns; but that no disposition injurious to the public service was intented is manifest from other facts, that subsequent to that period as soon as I was able to do business in a regular way those omissions were supplied thus repairing the evil the moment I was able and the same answer will apply to the charge contained in the third Specification — The 4th specification against me is a want of capacity exemplifide in not making out and returning in a proper manner the bounties and premiums & contingent accounts — Upon this Specification the cort are referd to the testimony of Andrew M. Lusk, and the returns themselves which are all before the cort it is possible that some of those accounts are not made out in the form usial on such occasions but it is humbly submitted that if they are intelligible and capable of being understood no serious imputation can be supported against me for the absance of that form — they ware all made out from the best information, then in my power no other mode having been submitted to me by the Commanding officer — These returns ware forwarded by mail & I have no doubt arrived at the place of destination How it hapned that upon one occassion a contingent account inclosed in a weekly return failed to arrive when the weekly return did not is not for me to account — And I would beg leave humbly to submit to this cort if the returns enumerated in the 4th Specification are

informal this further appology that altho I have been some time an officer in the United States Service yet my employment before the month of April was in actual service on the lines, and until that time I had never been engaged in the buisness of recruiting - The fifth specification against me is that I enlisted into the service of the U. States Saml. Mc Cauley a minor not more than eleven years of age, it is true that I did enlist him who at the time of his enlistment was a minor; but this was done in conformity with the written consent of his mother the only person to whom application could be made as he was a bastard child and had no master or gardian - This fact ill becomes the Commanding officer to object against me as it is in proof that previous to the time of this enlistment he was enlisted by the order of Colo. Anderson without the consent of his mother and was discharged at her most earnest solicitation - But independent of this consideration I am satisfide that the enlistment was legal and that he ought to have been received into the service by the commanding officer, but admitting it to have been illegal still the punishment appon me is fully designated in the rules and articles regulating the recruiting service and forms no foundation for a proceeding against me similar to the one now before the court - I

will barely add upon this subject that Col. Anderson refused to receive Saml. McCauley into the service of the U. States altho he now admits in substance that he ought to have been received in consequence of which refusal he has been subsequently restored to his mother - The sixth Specification against me is that I employed a physician to attend my recruits contrary to the 13th article regulating the recruting service dated May 2d. 1814, yet it is in proof before the court that I was not furnished with any of those rules and regulations what ever but fortunately that engagement with the Physician was in writing precisely in conformity with the laws upon that subject and that he recd. no more compensation than I was by law authorised to give him. - Possibly the sum which he demanded is a greater amount than in justice he ought to have received, but it ought to be remembered that no imputation can lie against me uppon that acount when it is considered that I employ'd him at the lowest price he would receive & that too not exceeding the sum, I was by law authorised to give - Least it should be considered, that I wish to entrench myself in the nicety of legal forms I would beg leave to examine whether I have disobeyed the orders of my commanding officer at any time other than that mentioned in the 1st Specification It is stated in the testimony of Col. Anderson that shortly

after 1st of July I left Fayetteville without his orders & came to Nashville - Admitting this to be true and yet it ought not to be charged against me as a crime his testimony shews that I was out of funds to carry on the recruiting service & that my real buisness at Nashville whare I remained but a very short time was to get a supply of money of which I was then furnished by him at that time he made no objection to my conduct because he considered I so no doubt will this court consider that I would have been acting more out of the line of my duty & much injuriously to the public service by remaining at Fayetteville without the means of being serviceable than even without an order going to Nashville in order that I might be supplied with the means of acting efficiently for the public benefit - My conduct upon that occasion could have been enfluenced by no other consideration than a desire to do good to the contry - a desire executed at the most eminent hazard, considering the weak & feeble state of my heath - It will be remembered that all these observation are bottomed uppon the idea that I left Fayetteville without orders whereas it is in proof that I acted under the orders of Col. Anderson as appears by his order of the 3d July a fact which he had no doubt forgotten when he gave his testimony, but I am not therefore deprived of the benefit of it — The 2d Charge against me of ungentlemanly conduct contains this Specification that I solicited Capt. Campbell to place Saml McCauley upon the muster roll as a private servant - The court cannot be ignorant that

by law I am entitled to a private servant provided he is not a soldier in the line – On the 31th July the commanding officer refused to permit Saml. McCauley to be mustered into service & it was not until after that period that application was made to Capt. Campbell to have him placed on the muster roll as my private servant this was what I had a right to have done & the reason why the application failed is wholly unnecessary for me to detail – When Saml. McCauley was mustered out of service by the order of Col. Anderson, he was sent to me at Nashville I was compelled to take care of him, to clothe and feed him for a considerable length of time until he was finally restored to his mother and it was during that time he so remained with me that the aplication was made to Capt Campbell –

To ad more uppon this subject would be an useless waste of time. The court cannot but see that there is no foundation for any serious charge against me & relying on its justice, honor & magnanimity I confidently expect an honorable acquitall –

(Signed) C. G. Fobes Lieut
24th Infy

The court being ordered to be cleared and the whole of the proceedings being read over by the Judge Advocate the following sentences were pronounced

The Court are of opinion said Lieut C G Fobes is not guilty of the facts allodged in the 1st Specification 1st Charge

The court are of opinion that Lieut C G Fobes did fail to make out his weekly returns, as stated in 2d. Specification but attach no guilt in consequence of his indisposition —

The court are of opinion, that Lieut C G Fobes did fail to make out his returns & reports, as stated in 3d. Specification, but from the testimony of Doct Charles McKinney attach no guilt in consequence of his indisposition. —

The court are of opinion, that Lieut. C. G. Fobes did blend his contingent accounts with his accounts of bounties and premiums; but in consequence of his not having been furnished with the proper forms, attach no guilt to the act — As to his want of capacity, as stated in the Specification the court judge not of it —

Opinion of the Court on the 5th. Specification

The recruiting regulations having pointed out the punishment, the Court dismiss the Specification. —

The Court are of opinion said Lieut C G. Fobes is not guilty of the 6th. Specification. —

On the 1st. Charge the Court find the prisoner Lieut C. G. Fobes Not Guilty. —

The Court find the prisoner Lieut C G Fobes guilty of the 1st Specification 2d Charge —

The Court are of opinion on the 2d. Charge that the prisoner Lieut C. G. Fobes is not Guilty of ungentlemanly conduct, but find him Guilty of improper

conduct —

The Court after mature deliberation do sentence sentence the said Lieut. C S. Fobes to receive a repremand from the Commanding General, in General Orders. —

The court adjourned to meet tomorrow morning at eight O'Clock.

Novr 7th 1814 —

The Court met pursuant to adjournment. —

Present —

Major F.W. Armstrong President

Capt. F.L. Amelung Capt W. Allison	Members	Capt B Johnson Lieut B. Wright
Lieut I.S. Williamson Lieut Abr. Britton Lieut C N. Lewis	Supernumeraries	

Wm Donnison Judge Advocate

Lieut D. Hibbits & Ens. W A Covington witnesses on the part of the prosecution against Lieut. E Haney being absent, the Court adjourned to meet to morrow morng at eight O'Clock. —

Novr 8th 1814

The court met pursuant to adjournment. —

Present —

Major F.W. Armstrong President —

Capt. F. L. Ameling }
" U Allison }
Members { Capt B. Johnson
Lieut. B Wright

Lieut J. S. Williamson }
" Abr. Britton }
" C N Lewis }
Supernumeraries

Wm Donnison Judge Advocate

Lieut D Hibbitts and Ens. W. A. Covington witnesses on the part of the prosecution vs Lieut E Haney, being absent the court adjourned, to meet tomorrow morning at eight O'Clock.—

Novr 9th 1814

The court met pursuant to adjournment.—

Present
Major T W Armstrong President—
Capt F. L. Ameling }
" U Allison }
Members { Capt B Johnson
Lieut B Wright

Lieut J. S. Williamson }
" Abr. Britton }
" C N Lewis }
Supernumeraries

Wm Donnison Judge Advocate

Lieut D Hibbitts of the 3d Rifle witness on the part of the prosecution being duly sworn states that on or about the 11th of Octr last he saw Lt Haney about one mile & a half from Gallatin —

Question by the Court— Was Lieut Haney going to or from Gallatin at that time?

Answer— When I first saw him he was at [a] house & I rode with him from thence to town.—

Question by the Court – Do you know the limits allowed Lieut Haney in the order of arrest. –

Answer – I do not know. –

Ensign W. A. Cov[illegible] the 39th Infy witness on the part of the prosecution be[illegible] sworn states that at the races at Henderson's Mills in the [illegible] Oct. he heard one Mathew Neal call Lt Haney a ra[illegible] that said Lt Haney was no gentleman, at the same time raising his fist before the said Lt Haney in a striking position – Lt Haney not appearing to resent it. –

Question by the Court. – What is the character of Capt M. Neal? –

Answer. – He is a man of fair character.

Lieut J. S. Williamson witness on the part of the prosecution being duly sworn answers as follows. –

Question by the Court. – Do you know at what time the arrest was served on Lt Haney & the limits allowed Lt Haney in the order of arrest. —

Answer. – It was served on the 7th Octo and limited to the town of Gallatin. –

The testimony having been heard, the prisoner requested the indulgence of the court for two days to prepare his final Defence, which was accordingly granted. –

The court then proceeded to the trial of Capt Jas. H Campbell of the 24th Regt of Infy on the following charges & Specifications. –

Charges & Specifications exhibited against Capt

James H Campbell of the 24th Regt. U States Infy this 7th day of Octr 1814.—

Charge 1st — Disobedience of orders.—

Specification.— Refusing to keep in the Guard house at the Cantonment near Nashville (Ten) where the said Capt. Jas. H Campbell commanded & setting at liberty after he had been received in said Guard house a prisoner to wit, Sergeant —— Britt of the 39th Regt. of U States Infy, who was committed to said guard by an officer of the Army of the U. States to wit by Major David Gwynne of 2d Regt. of Rifle. with a written charge stating his crime and signed by said officer, being a direct violation of the rules and Articles of war established for the Government of the Army of the U. States, to wit on or about the 22d August 1814.—

Charge 2d — Neglect of duty & unofficer like conduct.—

Specifn On or about the 22d day Augt 1814 neglecting to keep in the guard house at the Cantonment near Nash. where the said Jas. H Campbell commanded and liberating after he had been received by the Non commissioned officer commanding the guard a prisoner to wit, Sergeant Britt of the 39th Regt. Infy sent to said guard by an officer of the army of the U States, to wit, by Major David Gwynne of the 2d Regt. of Rifle, with a charge in writing stating his crime & signed by said officer and previously

declaring in the presence of sundry persons, that he would not receive and keep in his guard house said prisoner, who he understood was sent by the aforesaid Major David Gwynne & whom he afterwards liberated, plainly evidencing a premeditated and determined disposition of insubordination manifestly to the injury of the service and in violation of every military principle, as well of the rules and Articles of war as of the system of Discipline and well known customs established for the Government of the Armies of the U. States

Nashville Oct 7th 1814 — Signed David Gwynne Major
2d Regt. Rifle.

Capt Jas. H Campbell the prisoner having made an objection, previous to the reading of the Charges & Specifications, to the setting of Capt B. Johnson as a member of the court, as said Capt B. Johnson had acknowledged, he remarked that Capt. Campbell was wrong in not receiving the prisoner Sergt Britt — The court was cleared, and after mature deliberation are of opinion that Capt. B. Johnson is a proper member to set on the trial of Capt J. H Campbell — The charges & Specifications being read to the said Capt. J. H. Campbell, & being thereupon required to plead to them, pleaded Not Guilty. —

On the part of the prosecution the annexed marked L was offered in testimony — Capt. B. Johnson on the part of the prosecution being duly sworn states, that he heard some one observe to Capt Campbell that Major Gwynne had sent him a prisoner a Sergeant of the 39th Infy, that Capt. Campbell observed he would not keep him but send him back. —

Question by the court — Did you hear the name of the prisoner tendered to Capt. Campbell &

Answer. — I did — It was Sergt. Britt. —

Question. Did Capt Campbell assign any reason for his refusal? —

Answer. — He did, and observed that he had but few soldiers for guard & had many prisoners of his own —

Question by the court. — Was any other guard mounted in Nashville or its vicinity by any corps of the U. States Army other than by the 24th Regt. at Camp Anderson at the time of the above transaction?

Answer. — I believe not.

Question — What was the number of recruits present at Nashville or its vicinity under the command of Major Gwynne at the above mentioned time. —

Answer — About six. —

Question by the prosecutor — Were there any arms or equipments in the hands of the detachment of the 2d Regt. of Rifle. under the command of Major Gwynne or was it a recruiting party stationed at Nashville commanded by yourself. —

Answer. — It was a recruiting party commanded by myself; & we had no arms or equipments. —

Question by the Court. — Was it before or after, that Major Gwynne sent the prisoner Sergt. Britt from Nashville to the cantonment, that Capt. Campbell declared he would not receive Major Gwynne's prisoner?

Answer. — It was after the prisoner left

town - I presume the prisoner had nearly arrived at the Cantonment - at distance of between 3 & 4 miles -

Question by the prosecutor - Did this conversation take place in the town of Nashville. -

Answer - It did. -

Question - Was not a part of the recruits at your barracks in Nashville at the time above alluded to and stated to be under the command of Major Gwynne detached to go with Ensign Chilton of the 2d. Rifle. on a recruiting party. -

Answer. - On or about that time there was detached one of my men & one of said Chiltons on the recruiting service. -

Question by the prisoner - What was the strength of Major Gwynne's command on or about the 22d. of Augt. 1814 in the district of his command, & were not those that were ordered to the principle rendezvous cantoned at Nashville with those of the 39th. & 44th. Regt. Infy. -

Answer. - There were from ten to thirty within the district - My men were in the barracks with the 44th. Infy., which was at that time very weak, having only 3 men & one or two of them sick, there being of the 39th. but one Sergt. in town, except Sergeant Britt. -

Question by the prisoner - Do you know what was the strength of the 44th. Infy. within the district of Major Peire command on or about the 22d. of Augt 1814 -

Answer. - I do not know. -

Question by the prosecutor - What was

the extent of the recruiting district commanded by Maj. Gwynne at the time above alluded to—

Answer.— The State of Tennessee.—

Question by the Court.— How many recruiting parties existed at that time under the Superintendence of Maj. Gwynne—

Answer— About four or five.—

Question by the prisoner— Was not Major Gwynne's principal rendezvous in Nashville, from the orders of the war department.—

Answer.— It was.—

Col. W. P. Anderson of the 24th Infy. being duly sworn on the part of the prosecution states that he was absent from the Cantonment on the 22d Augt. & that on his return to the Cantonment Capt. Campbell named to him that Sergt Britt had been sent, by the order of Major Gwynne, a prisoner, in order that he might be put under guard in the guard house at the Cantonment near Nashville— Capt Campbell told him ~~told him~~ that he had refused to take charge of the prisoner— Capt. Cambell gave for reason that he was not bound to obey the order of Maj. Gwynne in relation to Sergeant Britt, in as much as the Major belonged to another Regt; that the 3d Article of the rules and regulations respecting the recruiting service would justify him in not receiving the prisoner Sergeant Britt— Capt. Campbell at no time acknowledged the receipt of an order from Maj. Gwynne respecting Sergt Britt but in every conversation on the subject contended that the paper transmitted with Sergt. Britt was not in the nature of

an order.

Question by the Prosecutor - Were you not on the 22d. of Augt 1814 the officer superintending the recruiting service in West Tennessee for the 24th Regt. Infy.

Answer. - I was.

Question. - Did Capt Campbell command at the Cantonment near Nashville on or about the 22d. Augt 1814, & organize an armed company, or detachment of your Regt. if so what was the strength of his command?

Answer. - He did command there at that time and the strength of his command was about one hundred & thirty, the precise number I do not recollect - He had organized his company; & there were at the Cantonment about one hundred stand of arms in the hands of the detachment.

Question. - Were not the orders prevailing at the Cantonment, to keep up a guard for the reception of prisoners & if so was there a guard house?

Answer. - It was, there was a guard house & the strength of the guard was eighteen, who were regularly relieved every day.

Question. - How long before & after 22d. of Augt. 1814 was this guard kept up.

Answer. - Previous to the 15th Augt the guard consisted of twelve; from the 15th to the 4th of Oct. of eighteen after which it consisted of twenty six until the 16th Oct when Capt. Jones & Capt. Campbell's companies marched for Mobile.

Question — Did Capt. Campbell suggest to you that it was on account of the prisoner Sergt. Britt having been sent by any particular officer, that he had liberated or refused to receive him? —

Answer. — I think he did, and added that he probably would have received the prisoner Sergt. Britt, but that irregular & improper details had been made by Maj. Gwynne while acting as Brigade Major in Genl. McArthurs Brigade to which the 24th then belonged during the late Genl. Harrisons campaign in the North west. —

Question by the prisoner — Was there any details made of any other corps to do duty at Camp Anderson by your order, between the 29th July and the 17 Oct 1814 —

Answer. — There were not. —

Question. — Were you not out of the limits of West Tennessee on the 22d. Augt. 1814, the bounds of your recruiting command? —

Answer — I was. —

Question — Did you not leave me in command of the 24th Regt. in West Tennessee, when you left Camp Anderson on or about the 18th of Augt. 1814 for Kentucky

Answer — I did. —

Question — Did you not apply to General Jackson for orders, to order you into service & what was the answer? —

Answer — I did, & he answered, that he was without the power from the War department to do so and added he did not conceive himself authorised to inter-

fere with Superintending recruiting officer. —

Question — Was not my language in respect to Maj Dwyrone in substance, that I would do the same thing again as respects Sergt. Britt, & would never suffer a man under my command to do more duty than what they were bound to do; that we had one Regt. destroyed by doing more than their duty in the North, & that you (Col. Anderson) had charged him (Maj. Dwyrone) with those kind of details to Genl. McArthur by letter at Detroit. —

Answer — I think it was the same in substance

Question by the prosecutor. — Was Capt. Campbell selected by the War department and stationed in West Tennessee on the 22d. Augt. 1814, as the Superintendant of the recruiting district or was he on that day, one of your subordinate officers, acting under your orders in the command of the Cantonment near Nashville during your absence?

Answer — He was not acting under orders from the War department, but acting under my orders, as the Superintending officer of the District. —

The court adjourned to meet tomorrow morning at eight O'Clock. —

Novr. 10th. 1814 —

The court met pursuant to adjournment

Present

Major F. W. Armstrong President —

Capt. F. L. Amelung } Members — { Capt. B. Johnson
" W. Allison } { Lieut. B. Wright

Dr. I. S. Williamson } Supernumeraries —
Lieut A. Britton }
Lieut C. N. Lewis }

Wm Donnison Judge Advocate —

Col. W. P. Anderson being called on the part of the prisoner further answers. —

Question by the prisoner — Is there not a goal in Nashville where you ordered to be confined three or four deserters of your Regt. previous to the 22^d Augt., & kept them confined there, when the recruits of the 24th Infy. at Camp Anderson amounted to about one hundred & forty men, and there being a guard mounted at the same time by said recruits and at this ~~same~~ time is not that the place you confine the malefactors of the 24th Regt. with those of other Regts.

Answer — In the month of March or April last several deserters were confined by my order in Nashville goal and kept there until some time in Augt. when they were put in the guard house at the Cantonment — Previous to the transfer of these prisoners there were largely upward of one hundred men at the Cantonment & a guard was regularly mounted — And since the 16th Oct. when the troops marched from the Cantonment, the Nashville goal serves as the place of confinement for deserters and other malefactors. —

Question. — What number of Recruits have you subject to your command at Camp Anderson & in the town of Nashville and its vicinity at this time? —

Answer. — Upward of thirty. —

Question. — Did you ever hear me acknowledge receiving an order from Major Gwynne, or that I felt myself bound to have obeyed, if he had given one, or any other officer except those of my own Regt. under the circumstances I was then situated in, that of Commanding the recruiting district of

West Tennessee for the 24 Regt. Infy. —

Answer — I never did. —

Question — When did you resume the command of & how long were you absent from this District? —

Answer — I left the command about the 18th Augt. and resumed it about the 4th Septr. —

Question by the Court. — Did you ever order a soldier to be confined in the Nashville goal charged with less than a capital crime, while a regular guard was mounted at the Cantonment?

Answer — I never did. —

Corporal Jno. Burroughs of the 2d Rifle being duly sworn on the part of the prosecution states as follows — I was ordered to guard out to the Cantonment, Sergt. Britt and deliver him to Capt. Campbell. Not finding Capt. Campbell I delivered him to Lt Britton of 24th Infy — I met Capt Cambell on my return to Nashville & was ordered by him to return to the Cantonment — Capt Campbell ordered the Sergt. of the guard to deliver Sergt. Britt up to me & I brought him back to Nashville

Question by the Court. Did Capt Campbell give any reason for sending Sergt. Britt back, and what appeared to be the numbers of prisoners in the guard house? —

Answer. — He said if he took in every raskal that was sent to him it would take all his men to guard them There were many prisoners in the guard house, but how many I do not know

The court adjourned to meet to morrow morning at eight O'Clock. —

Novr 11th 1814 —

The court met pursuant to adjournment —
Present
Major F.W. Armstrong president —

Capt F.L. Ameluny } Members — { Capt B Johnson
Capt U Allison } { Lieut B Wright

Lieut J.S. Williamson }
" Abr. Britton } Supernumeraries —
" C N Lewis }

Wm Donnison Judge Advocate —

Lieut A. Britton of the 24th Infy being duly sworn on the part of the prosecution states as follows — I recollect Sergt. Britt being brought to the Cantonment under guard & that Capt. Campbell not being present, I ordered him into confinement; Shortly afterwards Capt. Campbell came to the Cantonment & immediately ordered Britt back again to Nashville under the same guard — The reason given by Capt Campbell was, if he took every prisoner who might be sent to him he would not have men enough to guard them — A further reason given was, that the 24th Regt. had been imposed upon in the North western army, & that he would sacrifice his Commission before it should be imposed upon here & he did not think himself subject to any other Military authority except that of his own Regt while on the Recruiting service —

Question by the Court. Was not Captain Campbell & his company held in readiness to march for the lines at the time Col. Anderson left him in command at the Cantonment in Augt last, or was he the officer Superintending the recruiting service of his Regiment —

Answer – He was under orders to organize his Company & hold himself in readiness to march for Chilicothe and was not Superintending officer – But was senior officer of the 24th Infy in West Tennessee – He made no returns giving the names of the different recruiting officers, their stations & number of recruits – I applied at the post office in the absence of Col Anderson by Captain Campbell's request for all the papers in the office directed to Col. Anderson, the Post master refused to give them stating that Col. Anderson had directed him not to deliver any papers directed to him in his absence –

Question by the prisoner – Do you not know that I commanded in the absence of Col. Anderson and lodged in Camp every night during his absence & made out the proper returns to the War department for the month of August –

Answer – He commanded the troops at Camp Anderson in the month of Augt & made out a monthly return of them & I believe lodged in Camp every night – His return was confined to the troops at the Cantonment –

Question by the Prisoner – Did I not make out returns to the War Department from the best evidence of the state of the Regt. from the vouchers in your possession as Adjutant of said Regt. –

Answer. He made out a monthly return embracing the Commandant of the Regt. himself, the Adjutant, & Ensign Jones of 24th Infy & of the troops stationed at the Cantonment, but this return I believe fell into the hands of Col. Anderson –

Col. Anderson being called on the part of

the prisoner further answers—

Question by the prisoner— Did not Maj. Taylor of the 7th Regt. order Lieut Perkins of the 24th Infy when on the recruiting service, to take command of a detachment & Garrison at Prairie du Chien—

Answer— He did—

Question— Did you not complain to the War department on that subject & added he had no right to do so & what was the reply—

Answer— I did, & the reply was that a letter would be addressed to Genl. Howard on the subject of complaint against Major Taylor.—

Capt F. L. Ameling of the 44th Infy being duly sworn on the part of the prisoner answers as follows—

Question by the prisoner— Was not Major Piere of the 44th Infy principal rendezvous at Nashville—

Answer— It was.—

Question— What was the amount of Maj. Piers command within the district of his command on or about 22d Augt. 1814

Answer— I believe between twenty & thirty.—

Question by the Court— What was the number of recruits of the 44th Infy at Nashville on the 22d Augt 1814.—

Answer— There was a recruiting party consisting of 3 or 4 under the command of Lieut Thibaut—

Lieut B. Wright of the 39th Infy being duly sworn on the part of the prisoner answers as follows—

Question by the prisoner— What was the amount of the soldiers & recruits of the 39th Infy in Nashville & in West Tennessee on or about the 22d Augt & were you not ordered to make Nashville your recruiting rendezvous—

Answer. — There was at that time 2 Sergts. under my command at Nashville only — The number in West Tennessee I do not know — Nashville was my place of rendezvous at that time — Capt Johnson of 2d Rifle being again called on the part of the prisoner answers as follows —

Question by the Prisoner — Was not the orders from the War departt. directed to you to superintend the recruiting service in the district of Tennessee for the 2d Rifle. & that Major Gwynne assumed the command ober you & at what time did he assume said command —

Answer — Major Puthuff appointed me to the command and delivered over to me instructions from the War Departt. — Major Gwynne assumed the command in the month of July —

The testimony on the part of the prisoner having been closed, the prisoner requested two days to make his final defence, which was granted by the Court

Lieut Haney of 24th Infy came into court and requested further indulgence until Sunday next to make his final Defence, which was granted by the Court —

The Court adjourned to meet tomorrow morning at eight O'Clock

Novr. 12th. 1814

The court met pursuant to adjournment. —
Present.
Major F. W. Armstrong President —

Capt. F. L. Ameling } Members — { Capt B. Johnson
" U. Allison } { Lieut B. Wright

Lieut J. S. Williamson
" Abr. Britton } Supernumeraries —
" C. N. Lewis

Wm. Donnison Judge Advocate —

The court proceeded to the trial of Gabriel Frost a private soldier in Capt Wyly Martins company in the 3d Rifle. & was arraigned on the following charge & Specification. —

Charges & Specification against Gabriel Frost a private of of Capt Martins Company 3d. R. R. —

Charge — Desertion —

Specifn — That the said Gabriel Frost being an enlisted soldier in the service of the United States third Rifle Regt. did on or about the 1st day of Octr 1814 desert the service of the same. —

Wyly Martin Capt.
3d Rifle Regt.

To which the prisoner pleaded Not Guilty. —

Lieut Gray of the 3d Rifle. on the part of the prosecution being duly sworn states, that on or about 30th Septr 1814 Gabriel Frost left the detachment near Shelbyville while on the march from Fayetteville to Gallatin; Within one week after he was taken in Franklin County and confined in Franklin Goal — After having kept him four or five days under guard I put him on the recruiting service — since which time he has behaved himself as a good soldier. —

Question by the Court — What was the expence of recovering Frost. —

Answer. — The reward of fifty dollars. —

The testimony on the part of the prosecution & of the prisoner being heard, the prisoner stated in his defence, that he went to see his family with the intention of returning, that he was promised a furlough by Lieut Gray within that week but the Lieut. being absent at that time he left the detachment without permission. –

The Court being ordered to be cleared and the proceedings being read by the Judge Advocate, the following sentence was pronounced. –

The court find the prisoner guilty of the Charge & Specification, and after mature deliberation the Court sentence the said Gabriel Frost to suffer death by shooting. –

In consideration of the good conduct of the said Gabriel Frost since his apprehension, & from his youth, the Court are of opinion that he is a proper subject for mercy and therefore unanimously recommend him as such to the Commanding General. –

The Court then proceeded to the trial of Richard Wall a soldier in the Company of Capt W. Martin of the 3d Rifle, & was arraigned on the following charges & Specifications. –

Charges & Specifications against Richard Wall a private of the 3d Rifle Regiment. –

Charge – Desertion –

Specifn. – That on the 29th Septr. 1814 the said Richard Wall being an enlisted soldier in the service of the United States in the 3d Rifle Regiment, deserted the service of the same –

Wyly Martin Captain
3d Regt Rifle. –

To which the prisoner pleaded not Guilty. –

Sergt. Fail of Capt Martins Company of 3d Rifle. being duly sworn on the part of the prosecution states that the prisoner Richard Wall deserted on the 29th Septr. about twelve miles north of Shelbyville, when on the march for Gallatin - The witness believes he was arrested in Smith County about 5th Octr. 30 miles from Gallatin - He never saw the prisoner from the time of his desertion until he saw him in Nashville Goal - He says the prisoner enlisted at Fayetteville a few days before his desertion. -

The testimony being heard, the Court was cleared & pronounced the following sentence -

After mature deliberation the court find the said Richard Wall guilty of the Charge & Specification, and do sentence the said Richard Wall to suffer Death by shooting -

The court then proceeded to the trial of Jacob Perregin a soldier in Capt. Martins company of 3d Rifle upon the following charges & Specifications -

Charges & Specifications against Jacob Perregin a soldier in the Service of the U. States Army -

Charge - Desertion -

Specifn. - That the said Jacob Perregin being an enlisted soldier in the service of the U. States, in 3d Rifle Regt., did on the 21st. Augt. 1814 desert the service of the same.

Wily Martin Capt
3d Rifle Regt.

To which the prisoner pleaded not Guilty -
Lieut D. Hibbitts of 3d Rifle being on the part of the prosecution duly sworn states, that the prisoner deserted from his rendezvous at Jacksborough E. Tennessee on the 21st. Augt, & that the first

time he saw him since his desertion was near Gallatin coming on to Nashville under guard — The witness says the prisoner enlisted on the 2d Augt. — The testimony on the part of the prosecution as well as on the part of the prisoner being closed, the Court was cleared

After mature deliberation the court do find the prisoner guilty of the charge & Specification and sentence the said Jacob Perregin to suffer Death by shooting —

The court adjourned to meet tomorrow morning at eight O'Clock —

Novr. 13th. 1814 —

The court met pursuant to adjournment —

Present —

Major F. W. Armstrong President —

Capt F. L. Ameling " Ll Allison	Members	Capt B Johnson Lieut B. Wright

Lieut J. S. Williamson " Abr Britton " C. N. Lewis	Supernumeraries

Wm Donnison Judge Advocate

Lieut E Haney offered the following defence —

Mr. President & Gentlemen of the Court — It becomes now my duty to reply to the charges against me & the evidence adduced to support them — The 1st. Charge is "Conduct unbecoming the officer and Gentleman" there are under this charge 3 Specifications the first relates to my conduct towards James Jones — The second towards Maj. Conn, & the third towards Capt. M. Neal — Mr. P. — I am at a loss to know on what account it can be

called "unbecoming an officer and a gentleman" to be subject to the abusive language of a bully or a drunkard & to decline placing myself on a perfect level with them — Unfortunate indeed would be the condition of an officer, if he should be adjudged to be unworthy the rank of an officer or the standing of a gentleman because some man who was either drunk or used the language of a blackguard, should chance to take offence & abuse him with words; with such characters there are but three alternatives either to enter the lists as a boxer, to challenge him to fight as a Gentleman or pass his abuse unnoticed — It is obvious the first course would be imprudent in a recruiting officer in almost every case; & would have been peculiarly so in the cases alledged against me — Major Conn was intoxicated to an extent that he was to be pitied rather than abused — Capt. Neal is a character given frequently to intoxication & subject to the use of language at the moment without much design or intention — At the time he quarrelled with me it was at a time & place when a combat with him personally would have been imprudent & injurious; he is a man of strength & size & perhaps much superior to myself, in addition to that his friends were around him & the prospect of advantage in that way was much against me — The words he used were hasty — They were immediately forgotten by him & the matter ended — To seek redress by a challenge is forbidden by Genl. Order — It is rendered disgraceful by the laws of this State & would have subjected me to severe & heavy penalties — Were the facts respecting the difference with Jones stated truly before this court not even a pretence for censure would appear against me — It is true that with him I had a difference at Capt. Bradleys, some words passed on both sides, that were not very civil — I

however thought it improper to engage in a fight with him at a public place where he had many friends & where from that circumstance the result must have terminated in his favor — Jones was prompted by some of his bullying friends to provoke an attack on him by myself in order that they might aid him; this I declined — The transactions in Carthage were on the next day & they did not occur as represented by him — He called there at my lodgings in my absence & remained untill my return; & in room of my soliciting his friendship, he informed me, his language had been hasty & that it was used when he was intoxicated & was done without intention or even knowledge on his part — I desired no further quarrel or explanation & it thus ended — If a recruiting officer who happens in a part of the country where persons of a certain description are prone to seek quarrels with him, & he becomes a fighting champion, he is hourly subject to be beat, unless he is superior in strength to those who beset him — If he should attack them, their friends are around & his person is in danger — If he challenges a citizen the laws pronounce the penalty of imprisonment & disgrace — Would this risk be demanded of me? I humbly hope it would not —

The second charge is for a breach of my arrest, & on this point also I have no conciousness of guilt — On the 7th Octr I was served with an arrest & I believe ordered to remain within the limits of Gallatin — A few days previous to my arrest I was endeavouring to enlist a young man who lives about one mile & perhaps a half from town, I gave him $5 and as he was under age I declined giving him any more until he produced the written assent of his father, which he promised me to do, or return the money advanced — A few days after my arrest not having seen the man, I rode from Gallatin for the purpose of knowing his intention & if he should be inclined to enlist, that I might forward him to some officer

for that purpose, or otherwise receive the money advanced by me to him, this I did without once thinking of or reflecting on my order to remain within town. My intention & business from town & at the time Lt Hibbitts saw me without the limit of my bounds was with no desire to violate my orders, it arose from the novelty of the situation, & a want of reflection at the time of leaving town and from a desire to complete what had been began before my arrest; & this I informed Lt Hibbitts of at the time he saw me — And Mr P. before I could be adjudged guilty of the Charge, it ought to appear to be an act deliberately committed — It was no more than an inadvertance without the colour or knowledge of guilt on my part — It is no crime agreeable to the rules by which mens hearts are to be tried — I returned directly to my bounds after it occurred to me that I had exceeded them, and I went in company of Lt Hibbitts — With such testimony as is before you a decision will be made whether I have acted unworthy of an officer in either of the cases charged against me — I ask of you only to try me according to the degree of guilt proved against me, & of this I feel confident that my conscience tells me I have not erred — Error or crime consists in an act done deliberately and knowingly, the acts done & recited in the Specifications of the 1st Charge I not believe were proper under the circumstances of each case — The second charge altho proved within the letter of the Specification; yet I am guilty of no offence, of no contempt of the order of arrest — My absence was for the best purposes & with the best intentions & I trust & believe on that account I will be excused

Signed Elijah Haney 3d Lieut
24 Regt Infy

The defence of Lieut Haney having been heard, the court was cleared —

The court after mature deliberation pronounce the following sentence —

On the 1st Specification the court find the prisoner guilty.

On the 2d Specification the court find the prisoner not guilty.

On the 3d Specification the court find the prisoner guilty except as to being collared as therein stated —

On the 1st Charge the court find the Lieut Elijah Haney guilty — The court are of opinion that a man who does not defend himself, will not defend his country —

On the 2d Charge the court find the prisoner also guilty

The court after mature deliberation sentence the said 3d Lieut E. Haney to be cashiered. —

The court adjourned to meet tomorrow morning at eight O'Clock —

Novr 14th 1814

The court met pursuant to adjournment —

Present

Major F.W. Armstrong President

Capt F.L. Amelung } Members { Capt B. Johnson
" U. Allison } { Lieut B. Wright

Lieut J.S. Williamson }
" Mr. Britton } Supernumeraries —
" C N Lewis }

Wm Donnison Judge Advocate —

The court then proceeded to hear the defence of Capt. James H Campbell of 24th Infy. as follows —

Mr. President & Gentlemen members of this Court —

It now becomes my duty to say what I have to offer in answer to the Charges exhibited against me; and the evidence adduced to support those Charges — Before I proceed to remark particular on the Specifications, I hope to be indulged in expressing the confidence I feel in the understanding, the integrity and the honor of each member of this court; & at the same time may I be permitted to say that whatever sentence or opinion is expressed, my feelings inform me it will be founded in justice and impartiality — With many of those who are now my judges I have served in defence of our Common country and I am proud in believing that no one will say I have been backward when danger was near, or that I have betrayed any want of inclination as a man or an officer to pursue that line of conduct which was proper and necessary to collect an army or to support a system of discipline and Subordination in the troops entrusted to my command — On the contrary my conscience informs me that while employed in the Service of the U. States the resources of my mind have been called to my aid in enabling me to serve my country to the exclusion of all other pursuits — Yes, with truth I can say that no day or hour have I spent in frivolous pursuits or immoral practices ~~where~~ when my duty called me to my post — It is now a matter of proud consolation that a watchful eye busy to censure has marked my official conduct, and that the Charges & Specifications now before you are all that busy malice could discover — I indulge in the hope and entertain the expectation that the Specifications under each of the charges will afford testimony to you Gentle-

men, that I was found at my post, that I had an eye to the discipline and care over the conduct of the corps under my command — That I had some knowledge of my duty as an officer entrusted with a seperate command at a permanent recruiting station, and that I was not ignorant or inattentive to the regulations of the Depart. of War on that subject — I entertain a belief that in the course of this investigation the officer, who has furnished the charges of Disobedience of orders, Neglect of Duty, & unofficer like conduct in me, will acquire some knowledge in the art of issuing orders; & will be hereafter better enabled to judge of the duty and conduct of others in their respective stations — At & previous to the 22^d^ Augt. 1814 a permanent recruiting station was established at Camp Anderson near Nashville for the 24th Infy. & Col. W. P. Anderson was designated by the War Depart. as the officer who should have charge of the same — This station was occupied exclusively by the officers & recruits of the 24th Regt. at the time named in the Specifin. to the first Charge; & at that period was under my command as the Senior officer Superintending in the absence of Col. Anderson — At & previous to the same period was a recruiting station established at Nashville for the 2^d^ Rifle Superintended by Major D. Gwynne, attached to which were a number of officers of said Regtn. and recruits at that time for whom were furnished at the expence of the U. States convenient barracks for their accommodation — At the same time the recruiting service was progressing for the 39th & 44th Infy. under officers of said Regts. all of whom were seperate & distinct from the regulations' command or controul of the officers of the 24th Regt, & in no degree united with them in Camp or command — Under those circumstances the order was issued by Maj. Gwynne of the 2^d^ Rifle to Ens. Chilton of the same Regt. on the 22^d^ Augt.; & in consequence thereof Sergt. Britt of the 39th Infy. was conveyed from Nashville, the distance of three or four

miles to the cantonment or Camp Anderson by a Sergeant and delivered to the guard having the charge of the prisoners belonging to the 24th Regt. If a refusal to retain in custody the said Sergt. Britt and to keep him under the guard formed by the commanding officer for the prisoners of the 24th Regt. be a disobedience of orders, then I am guilty of the Charges & Specifications thereto annexed - But Mr President & Gentlemen of this court my mind has been active in searching for that part of the duty of an officer on that clause of in the Articles of war, which would pronounce this "a direct violation of the rules and articles of war", & it yet remains in obscurity, I am yet ignorant on what authority the officer who is my accusor could pronounce it to be such - By adverting to the 1st 2d & 3d Articles of the recruiting regulations of the 2d May 1814, it will appear that Maj. Gwynne of 2d Rifle. had no authority to issue any order to an officer superintending a seperate recruiting station, belonging to a seperate Regt. & commanding a seperate corps, or to any officer under his command; he had no such powers, he issued no order to me & how can I be guilty of the 1st Charge "Disobedience of orders" - The order to Ens. Chilton was not an order to me as the Commanding officer - If Col. Anderson had been present will it be contended he was bound to obey it - It would be as reasonable to require his obedience to an edict of any Subaltern - At that time I exercised the authority of Commanding officer, could create or annul a guard & was no more subject to the orders of Major Gwynne than was Col. Anderson - But this kind of reasoning is entirely unnecessary - I rely upon the express regulations, that as I was then situated Maj. Gwynne had no power to issue any legal order to me or to any person belonging to my corps; and the act of sending a malefactor of an other Regt. by an officer commanding

a seperate station, to be obtruded on the soldiers of the 24th R. under the circumstances disclosed cannot be considerd otherwise than an attempt under pretence of Superiority of Grade to impose a burden they were not bound to bear, or a burden which if it had been permitted would have shewn I was unfit for command them; at a former period while in the North western army, the officers & soldiers felt the effects of imposed duties – It was an injury which officers ought to feel themselves accountable and to resist such encroachment as had been made on former occassions – I acted on this occassion, as I thougt my duty to myself & the troops entrusted to my command required, this I did with promptness & decission. — Mr. President it be said that the 80th & 81st Article of the Rules and articles of war are applicable to a case like this, I trust it will not be so decided by the members of this court – The rules & articles of war were adopted for the Government of the Army while doing duty as a regular army; & the new recruits do not form a part of that army, untill they are organized and marched for their Regt. — The recruiting regulations adopted by the War Depart.t are to be the guide of the recruiting officer at their different recruiting station By those regulations the commanding officer at a seperate recruiting station is bound to obey the orders of the War Depart.t & is not subject to any other authority (Article 3d) he is responsible for the order, discipline, &c. of the recruits under his command (17th Article) Those orders of the War Depart.t are certainly paramount to any that Major Gwynne may choose to issue, & Mr. President I am inclined to believe that if Maj. Gwynne had applied a small portion of that time which he ought to have done, from the sports of the turf, and from his devotion to the Card table, in learning his duty as an officer in reading the Rules & Articles of War, to

be observed by recruiting officers, he would have known that he was guilty of disobedience of orders in interfering with my command. To my mind it betrays the most gross ignorance of military tactics to imagine that the guard ordered by a recruiting officer to maintain order in his Camp & guard the offenders, should be considered as a Prevost Guard, such as is named in the 80 & 81 Art. of the rules & Articles of War — Such a guard as I had formed Maj. Gwynne had the power to form in Nashville & would have established such a one, if he had done his duty as an officer or had any regard to the order or discipline of his recruits — By the recruiting regulations I was ordered to obey no authority but my commanding officer, or the War Depart., this implies most positively, that no other had power to give any order — Maj. Gwynne had as much right to command all the recruits at Camp Anderson, as to command the officer of the guard — Suppose in some freak of his temper he had ordered all the prisoners to be released from guard, or all the recruits to be marched off, or he should have ordered so many prisoners from other corps to be put under guard at Camp Anderson, that it would have required all the recruits under my command to do duty on guard, would this be pretended to be within his authority? would it be reasonable to suppose that I was liable for the discipline of the soldier & they be compelled to perform duties imposed upon them by Maj. Gwynne, whom accident had brought to the vicinity — Mr. President & Gentlemen I ask you for a moment to think of the circumstances attending the case — At that time I was Commanding Officer — Those recruits of the 24th Infy were under marching orders to be marched to the lines by myself, my utmost exertions

were devoted to procure order & discipline among the recruits before their departure - Maj Gwynne who harbours no friendship toward me, sends this troublesome malefactor to my guard house, without even informing me of the circumstance, he was sent from Nashville when the recruits under Maj: Piero and those commanded by Maj. Gwynne as well as an Officer & recruits of the 39th were stationed. There was also a goal in Nashville to which Britt could have been committed by the civil authority. (or have been handed over to the civil authority) could any officer who was sensible of the duties & the dignity of his station consider it otherwise than as intended to create insubordination? I so viewed it, & acted accordingly - I directed him to be taken back to Nashville, & reported to Maj. Gwynne, & this has produced my arrest; and has drawn from my accuser expressions of unauthorised vindictive feelings, unbecoming an officer who holds his rank, in room of specifying the charges to be proved in language, civil, modest, & becoming the vocabulary of abuse is almost exhausted to swell the last Specification into a crime - Could I believe Mr President that an interest for the public service produced my arrest, my regret at this loss of time would be but little - But I impute it to motives of a different nature - I have understood some cause of offence existed towards the late Col. Jno B. Campbell, and altho it slumbered while he was alive, since his death, the hot embers are discovered in my arrest - altho my accusor has the good fortune at present to bear a superior rank to my self yet I feel a pleasure in knowing, that before this court, his high pretentions, and assumed authority, will be viewed in their proper light - Altho' superior rank in general would lead us to expect wisdom & experience in the possessor; yet there are exceptions - Of Maj. Gwynne's attention to the

duties of his station had equalled his promotion in rank, or if he had been as zealous in studying tactics as in paying court to acquire that rank he might have chanced to have read the 62^d^ Article of the rules & articles of war & by that he would have known, that when the officers of different corps happen to join & do duty together, then & only then will the senior officer of a different Regt. be entitled to take command.

Gentlemen the principal on which this case rests is on that arising out of the particular rules to be observed by officers of corps recruiting — If I was bound to receive any & all of the prisoners sent by any other officer at different stations; it ought to be proved by some settled rule or law — It cannot be required on the ground that Major Gwynne was of superior rank, he has no command beyond his Regt & those under his command, it cannot be justified by the 80 & 81 Sec. of the rules & articles of war for the reason before assigned, a prevost marshal or guard have their place in the regular army & are established for the purpose of receiving & retaining prisoners for capital offences — This question may not have been agitated heretofore in this shape — And altho' I made one objection to a member for an expressed opinion of my conduct in not retaining Sergt Britt; yet I feel confident when this case is deliberately examined such opinion will be changed — Mr P. & Gentlemen permit me to close this subject after expressing that I feel regret at having been detained from marching with my command to the post of danger and of honor — That detention may afford some gratification to the mind of my accuser — He is welcome to

enjoy it, or any other in my power to furnish consistent with my duty to my country & myself – I call your attention to the evidence of Col. Anderson – And permit me to express my feelings of gratitude to you & the members of this court for the patient hearing of this case – I expect justice in your decision and I ask no more. –

Signed James H Campbell Capt.
24th Regt. U.S. Infy.

Nashville Novr. 14th 1814

The court being ordered to be cleared & the proceedings being read to the court, the following sentences were pronounced –

The court find Capt. James H Campbell guilty on the 1st Specification of the 1st Charge –

The court find Capt J. H Campbell guilty on the 1st Charge & Specification –

The court find the said Capt J. H Campbell guilty on the 1st Specification of the 2d Charge –

The court find the said Capt. J. H Campbell guilty on the 2d Charge & Specification –

The court after mature deliberation sentence the said Capt. James H Campbell to be dismissed the service of the United States –

In consideration of the previous exemplary conduct of Capt. James H Campbell, & a knowledge of his zeal to serve his country, the court unanimously request the Commanding General to remit the punishment.

The court then proceeded to the trial of

Alexander Shivers upon the following charges & Specification

Charges & Specifications exhibited against Alexander Shivers a private of the 24th Regt. Infy —

Charge — Desertion —

Specification — Deserting the service of the United States on or about the 16th day October 1814 from the Cantonment near Nashville.

Jno S. Williamson
Lieut 24 Regt Infy —

To which the prisoner pleaded not Guilty —

Lieut J.S. Williamson of 24th Infy being sworn on the part of the prosecution states, that he knows nothing but what the prisoner acknowledged to him, which was, that on or about the 16th Oct. he deserted the service of the United States from the Cantonment near Nashville —

Question by the Court — Was the confession of the prisoner made to you of his desertion given free and voluntarily, without threats or promises —

Answer — It was — The witness further states that the prisoner said he was sorry, that he had left the service & that he had two sons whom he wished to join the service with him & afterwards sent his permission in writing, since which one of them has enlisted & the other offered, but was refused in consequence of his age —

The testimony on the part of the prosecution being closed — Thomas Shivers a private soldier of 24th Infy witness for the prisoner being duly sworn, states that he was some distance from home when his father Alex.

Shivers arrived at home & immediately sent for him - His father told him he had come after him to join the service, that he, Thomas, asked his father if he was not afraid he would be sent after, his father said he had risked his life to come & bring him Thomas to the camp to join the army, that that night his father was taken; that before he was taken witness was sent by his father to Col. Overalls of the militia to get a permit to return to the Cantonment unmolested; but the Col. was not at home - The witness further states that they had intended returning to Nashville the next morning -

The testimony being closed, the prisoner states in his defence, that he went for the purpose of getting his sons to join him in the service, that he had heard that at that time they would not grant furloughs & that it was his express intention to have returned the next day - The court being ordered to be cleared proceeded to pronounce the following sentence. -

The court after mature deliberation find the said Alexander Shivers guilty of the Charge & Specification and do sentence the said Alexander Shivers to suffer Death by shooting.

The court in consideration of his having produced his two sons for the defence of his country, one of whom has since enlisted in the 24th Infy & the other refused in consequence of his age; & the prisoners apparent intention of returning to duty, do recommend him to the Commanding General as a fit subject for mercy -

The court then proceeded to the trial of John Jones a soldier in the 24th Infy upon the following Charges and Specifications

Charge & Specification exhibited against John Jones a private of the 24th Regt. of Infy -

Charge – Desertion –

Specification – Deserting the service of the U States on the 16th day of October 1814 from the Cantonment near Nashville – Signed Thos S Williamson
Lieut 24 Infy –

To which the prisoner pleaded not guilty –

Ensign Harney 39th Infy being sworn on the part of the prosecution states – Some time in the month of Oct. I found the prisoner at Haysboro' & demanded of him his furlough, he exhibited one that was exceeding badly written; the furlough concluded thus "Signed by me Capt Jones 24" – I was informed by a soldier of mine that Jones had with him a bundle of cloaths and I immediately went in pursuit of them & found them in the house of the ferry man – I then ordered the prisoner to be tied & then sent to the barracks, where he was kept until nearly midnight when a party came in pursuit of him & I delivered him as a deserter – The Sergt of the party stated that the prisoner had deserted on that day. –

Question by the prisoner – Was I intoxicated?

Answer – He appeared then to be drinking but when he came to town was not drunk –

Question – Was any other name besides Jones attached to the furlough –

Answer – There was not –

The court being cleared proceeded to pronounce the following sentence –

The court after mature deliberation find the prisoner Guilty of the Charge & Specification & do sentence said John Jones to suffer Death by shooting –

The court then proceeded to the trial of Wm Myers a soldier of Capt Humphries's company of the corps of Artillery on the following charges & Specifications —

Charges & Specifications exhibited against William Miers a soldier of Capt Humphries' company of the corps of Artillery this 11th day of Novr 1814 —

Charge — Desertion —

Specifn — Deserting from Capt E Humphries company of the corps of Artillery at Fort St Charles, New Orleans, on or about the 20th July 1814 —

Signed David Gwynne Major
2d Regt Rifle.

To which the prisoner pleaded not guilty —
Capt Ameling of the 44th Infy being duly sworn on the part of the prosecution states — A few days ago I saw the prisoner in the jail of this place and on enquiry he acknowledged that he had enlisted with Lieut Spotts at the town of Liberty. (Mi Ter.) & that on the 20th day of July last he deserted from Fort St Charles, New Orleans, where he was stationed with Capt E Humphries company of the corps of Artillery, he stated he should not have left the service had he not been persuaded thereto — This confession was made without threats or promises on my part —
Capt Johnson 2d Rifle being sworn on the part of the prosecution states — A few days past I committed the prisoner to goal, he was brought unconfined by two men to me, they stated he had substituted himself, but afterwards confessed he was a deserter & wished to return to the service, which was the cause of his

having been brot here — The prisoner stated that the cause of his desertion was his having been over persuaded —

The court being cleared proceeded to pronounce the following sentence —

The court after mature deliberation find the prisoner guilty of the charge & Specification and do sentence the said William Miers to suffer death by shooting

The court adjourned to meet tomorrow morning at eight O'Clock —

Novr 15th 1814 —

The court met pursuant to adjournment —

Present

Major F. W. Armstrong President

Capt F. L. Amelung } Members { Capt B. Johnson
" U. Allison } { Lieut B. Wright

Lieut J. S. Williamson }
" Abr. Britton } Supernumeraries —
" C. N. Lewis }

Wm Donnison Judge Advocate

The court proceeded to the trial of Jacob King a soldier in Capt Reeds company of the corps of Artillery of U States on the following charges & Specifications —

Charges & Specifications against Jacob King a private soldier in the Corps of Artillery U.S. Army —

Charge — Desertion —

Specification — Deserting the service of the U. States from Pittsburg (Pen.) some time in July last —

Nashville Novr 11 1814 Signed Ferd. L. Amelung
Capt 44th Infy

To which the prisoner pleaded Guilty —

The Capt Amelung of the 44th Infy being sworn on the part of the prosecution for the satisfaction of the court states, that on or about the 11th of Augt last the prisoner was brought to me as a deserter at Huntsville — He acknowledged the fact as set forth in the charge, when I committed him to jail — A few days after he attempted to make his escape & I was therefore obliged to iron him — Some days after that he broke his irons & I therefore got a stronger pair of irons made & ordered him to be chained to the floor, which was done —

The prisoner then proceeded to state in justification that at the time he deserted the service he was intoxicated & over persuaded to do so —

The court, being cleared, proceeded to pronounce the following sentence —

The court after mature deliberation find the prisoner guilty of the Charge & Specification & do sentence the said Jacob King to suffer Death by shooting —

The court then proceeded to the trial of Benjamin Harris a soldier in Capt. I L. Baker's company of the 44th Infy upon the following charges & Specifications

Charges & Specifications exhibited against Benj Harris a private soldier in Capt I L. Bakers company of 44th Regt U States infantry —

Charge — Desertion —

Specifications — Deserting the service of the U. States some time in the month of July 1814 from Nashville Ten.

Nashville Novbr 12th 1814 — Signed Fred. L Amelung Capt 44th Infantry

To which the prisoner pleaded not guilty –

Capt F. L. Ameling of the 44th Infy being sworn on the part of the prosecution states – On the 21st or 22d of September last the prisoner was brought to me as a deserter at Huntsville – On enquiry he stated that he had enlisted on or about the 3d of Oct 1813. at Winchester (Ten) with Capt Davis of the 39th Infy or his Lieut. the name of whom he did not recollect, that he had deserted on the same or next day after his enlistment – I confined him in Huntsville Goal – He escaped from thence on or about 22d Oct & he was apprehended again and delivered to Lieut Wright of the 39th Infy some few days ago –

The testimony being heard & the court cleard the court proceeded to pronounce the following sentence –

The Court after mature deliberation find the prisoner Guilty of the Charge & Specifications & do sentence the said John Young to suffer Death by shooting –

The court adjourned to meet tomorrow morning at eight O'Clock –

Novr 16th 1814 –

The court met pursuant to adjournment –

Present –

Major F W Armstrong President

Capt. F L Ameling } Members { Capt. B Johnson
" U. Allison } { Lieut B Wright

Lieut J. S. Williamson }
" Abt. Britton } Supernumeraries
" C N Lewis }

Wm. Dennison Judge Advocate –

The court proceeded to the trial of Nathl. Chester a private soldier in the corps of Artillery U.S. Army on the following Charges and Specification — Charges & Specifications against Nathaniel Chester a private soldier in the corps of Artillery U.S. Army —

Charge — Desertion —

Specification — Deserting the service of the United States from Fayetteville (Ten) some time in October 1812. —

Signed Ferd. L. Amelung
Nashville Novr 11th 1814 Capt. 44th Infy

To which the prisoner pleaded not Guilty —

Lieut Gamble of the corps of Artillery being sworn on the part of the prosecution states — In the fall of 1812 I was recruiting in Fayetteville & enlisted the prisoner on the 30th Oct 1812. He enlisted a little before sun down in Capt Phillips company of Artillery under the name of Nathl Chester and about 10 O'Clock or 11 of the same night, the prisoner took a second bounty under the name of Abraham Jones, the fraud was detected & the bounty returned, the next day he was furloughed for two or three days, but never returned —

Capt Amelung of the 44th Infy being sworn on the part of the prosecution states — On or about the 7th of Augt last the prisoner was brought to me as a deserter & I confined him in the Huntsville Goal — He confessed the fact set forth in the charge; about one week after his confinement he fell sick & therefore liberated him from Goal, & he has been at liberty & doing duty with my recruiting party from that time until some

time in this month when he was remanded to Goal in Nashville

The testimony being heard the court was cleared and proceeded to pronounce the following sentence —

The court after mature deliberation find the prisoner guilty of the charges & Specifications & do sentence the said Nathaniel Chester to suffer Death by shooting —

The court then proceeded to the trial of Drury Puckett a private soldier in the 24th Infy on the following Charges & Specification —

Charges & Specifications exhibited against Drury Puckett a private in the 24th Regt. U States Infy this 13th of Novr 1814 —

Charge —— Desertion —

Specification — Deserting the service of the United States about the 24 of Septr 1814

John S. Williamson
Lieut 24th Infy

To which the prisoner pleaded not guilty —

Lieut. J. S. Williamson of the 24th Infy being sworn on the part of the prosecution states — on the 12th day of this month the prisoner was brought to me as a deserter, with an advertisement offering a reward of $50 & all reasonable expences for the prisoner by Lieut Peck — I asked the prisoner who enlisted him, he answered Lieut Peck — I asked him at what time he deserted he informed me the day after he enlisted — I also asked him, where he was apprehended, he answered in Pulaski County in the State of Kentucky. I paid the reward of $50 & other

reasonable charges — — — The testimony being heard, the court was cleared & proceeded to pronounce the following sentence —

The court after mature deliberation find the prisoner guilty of the charge & Specification & do sentence the said Drury Puckett to suffer Death by shooting —

The court then proceeded to the trial of Wyatt Grant a soldier of Capt Jno. Jones company of 39th Infy on the following Charge & Specification —

Charge & Specification exhibited against Wyatt Grant a privat soldier of Capt Jones Compy 39th Regt Inf —

Charge —— Desertion —

Specification — That being an enlisted soldier in the service of the U. States & in Capt Jones Compy of the 39th Regt U.S. Infy. did on or about the 14 Augt 1814 desert the service of the same —

Signed B. Wright 1st Lieut
39th Regt Infy

Novr 15th 1814

To which the prisoner pleaded Not Guilty —

Stephen W. Baldridge late a soldier of the 39th Infy being sworn on the part of the prosecution states — Some time in the month of August — I was doing duty as orderly in Capt Jones company of 39th Regt Infy at Mount Vernon (M.T.) & on or about 14th Augt the prisoner deserted from thence — Witness further states, that a company was held in readiness to march about that time, the place of destination unknown to the soldiery — Witness states also that having been asked by the prisoner, where they were going, some one observed

to Pensacola, on which the prisoner said he had rather suffer death than go there —

The testimony being heard the Court proceeded to pronounce the following sentence —

The court after mature deliberation find the prisoner guilty of the charge & Specification & do sentence the said Wyatt Grant to suffer Death by shooting —

The court then proceeded to the trial of Joseph Mackelroy a soldier in the 24th Infy ~~on~~ the following Charges & Specifications —

Charge & Specification exhibited against Joseph Muckelroy a soldier in the 24th Regt. Infy

Charge — Desertion —

Specification — Deserting from Cantonment near Nashville on or about the —— day of Octr. 1814 —

Signed J. S. Williamson —
Lieut 24th Infy.

To which the prisoner pleaded not Guilty —

Sergt. Gunn of the 24th Infy being duly sworn for the prosecution states — Lieut Williamson directed me & Sergts. Ballou & Serrat to go to Camp Anderson for the prisoner — We accordingly went — We received the prisoner & he afterwards told me, he had a furlough to come to Nashville, and from thence he went home & was to have returned to the Camp the same night — He said he was sorry he did not

do it; but that he was drunk when he went away. The prisoner left Camp Anderson, some time the month of Octr, the day previous to the troops starting for Mobile. He also told me that he was gone one week; & that he lives in Warren County where he was taken up by Squire Hill of that County.

The testimony being heard the Court proceeded to pronounce the following sentence.

The court after mature deliberation do find the said Joseph Muckelroy guilty of the Charge & Specification & sentence the said Joseph Muckelroy to suffer Death by shooting.

The court then proceeded to the trial of James McBride a soldier in the 2d Rifle Regt. upon the following Charges and Specifications.

Charges & Specifications exhibited against James McBride a soldier of the 2d Regt of Riflemen this 11th of Novr 1814.

Charge. Desertion.

Specification 1st Deserting from Capt Rodgers company of the 24th Regt of Infy. while a soldier in that Regt. on the march to join the North western army to wit at Franklin in the State of Ohio in the month of June or July 1813.

Specification 2d. Deserting from the recruiting rendezvous of the 2d Regt of Rifle. in the town of Nashville on or about the tenth day of October 1814.

Signed David Gwynn Major
2d Regt. Rifle

To which the prisoner pleaded not guilty —
Capt Johnson of the 2d Rifle being sworn on the part of the prosecution states — I believe the prisoner gave himself up under the Proclamation of the President of the United States & is entitled to the benefit of it for the offence stated in the first Specification, that the prisoner had enlisted in the 24th Infy for the term of eighteen months & subsequent to his having given himself up he enlisted in the 2d Rifle Regt. for a longer term — That the prisoner did on or about the 10th day of Oct desert the service of the U States from the town of Nashville where he was doing duty with my recruiting party — I believe he was taken up & committed to goal in White County a few days afterwards —

The court having heard the testimony on the part of the prosecution, proceeded to hear the testimony on the part of the prisoner —

Jane Britt being sworn on the part of the prisoner states Before the prisoner left Nashville he told me he intended to go to White County & bring his wife to town & that he could not get a furlough & that he should return immediately —

The testimony being heard, the court proceeded to pronounce the following sentence —

The court after mature deliberation find the prisoner guilty of the first Specification, but in consideration of the Proclamation of the President of the United States, award no punishment —

On the 2d Specification the Court find the prisoner guilty —

After mature deliberation the Court find the

prisoner Guilty of the Charge & do sentence the said James McBride to suffer Death by shooting —

The court adjourned to meet tomorrow morning at eight O'Clock —

Novr 17th 1814 —

The court met pursuant to adjournment —

Present

Major F. W. Armstrong President

Capt F. L. Ameling } Members { Capt B. Johnson
" U Allison } { Lieut B. Wright

Lieut I. S. Williamson }
" Mr. Britton } Supernumeraries
" C N Lewis }

Wm Donneson Judge Advocate —

The court adjourned to meet tommorrow morning at eight O'Clock —

Novr 18th 1814

The court met pursuant to adjournment —

Present

Major F. W. Armstrong President —

Captain F. L. Ameling } Members — { Captain B Johnson
" U Allison } { Lieut B Wright

Lieut I. S. Williamson }
" Mr. Britton } Supernumeraries —
" C N Lewis }

Wm Donneson Judge Advocate —

The court then proceeded to the trial of Nimrod Triplett a soldier of the 2d Rifle. on the following Charges & Specifications —

Charges & Specifications exhibited against Nimrod

Triplett a soldier of the 2d. Regt Rifle. this 13 day of November 1814 _

Charge _ Desertion _

Specification _ Deserting the service of the United States, from Camp Anderson near Nashville on or about the 2d. day of Novr. Instant _

Signed David Gwynne Major
2d. Regt. Riflemen _

To which the prisoner pleaded not Guilty _

W. B. Forgason a soldier of 24th. Infy being sworn on the part of the prosecution states _ I met the prisoner at his fathers on Richland Creek 15 miles from Fayetteville _ The prisoner stated the cause of his leaving the Cantonment was that he expected to march & he wishes to see his wife, but that he intended to return as speedily as possible _ That they proceeded to the Cantonment & reported to Lieut Davis on the 13th. of this month _

Lieut. Davis of the 24th Infy being sworn on the part of the prosecution states _ On the 13th of this month the prisoner returned to Camp Anderson & delivered himself up to me _

The prisoner states in his defence, that he had been promised a furlough several times, but could not get one _

The court after mature deliberation do find the said Nimrod Triplett Guilty of the charge & Specification & do sentence the said Nimrod Triplett to suffer Death by shooting.

The court are of opinion that the prisoner, who it appears from the testimony intended to return to the service, is a fit subject for mercy, & as such recommend him _

The Court then proceeded to the trial of William B. Forgason a soldier in the 24th. Infy. on the following Charges & Specifications _

Charges & Specifications against Wm. B. Forgason a private soldier in the 24th Regt. Infy —

Charge — Desertion —

Specification — That the said Wm B. Forgason deserted the service of the United States some time in the month of October last —

Nashville Novr 14th 1814 Signed Jno T. Williamson
Lieut 24th Regt Infy

To which the prisoner pleaded Not Guilty.

Lieut Davis of the 24th Infy being sworn on the part of the prosecution states — On the 13th of this month Forgason came to the Cantonment & delivered himself up to me — Forgason stated to me that he was sorry he had deserted, that he found his error & wished to return to duty, that it should be the last time he would be guilty of such an offence —

Sergt Forgason of the 24th Infy being sworn on the part of the prisoner states — The prisoner informed me that he deserted from Fayetteville in the month of Octr 1814, that he was intoxicated at the time, that he had seen his wife the day before, the first time he had seen her since he enlisted in Capt. Phillips company in the year 1812. that he left Fayetteville for the purpose of seeing his wife — He told me he was sorry for having committed the offence; that he never had committed any in his former service — The witness further states that he delivered himself up on the 13th of this month, at which time he had this conversation —

Lieut Gamble of the Corps of Artillery being sworn on the part of the prisoner states — The prisoner had an honorable discharge from the corps of Artillery, that he was a good soldier & conducted himself correctly the whole of his eighteen months service —

The Court having heard the testimony proceeded to

pronounce the following sentence —

The court after mature deliberation find the prisoner Guilty of the Charge & Specification & do sentence the said William B Forgason to suffer Death by shooting

In consideration that the said W. B. Forgason having returned to his duty in the service of the U States & his conduct as a soldier during eighteen months previous service being correct and uniform the court earnestly recommend him to the mercy of the Commanding General —

The court adjourned to meet on Sunday next at eight O'Clock A. M. —

Novr 20th 1814

The court met pursuant to adjournment —

Present

Major F. W. Armstrong President

Capt F. L. Amelung } Members { Capt B. Johnson
" U. Allison } { Lieut. B Wright

Lieut J. S. Williamson }
" Abr. Britton } Supernumeraries
" C N Lewis }

Wm Dennison Judge Advocate

The court adjourned to meet tomorrow morning at eight O'Clock —

Novr 21st 1814

The court met pursuant to adjournment —

Present

Major F. W. Armstrong President —

Capt. F. L. Amelung } Members { Capt B Johnson

Capt U. Allison } Members — { Lieut B. Wright
Lieut J. S. Williamson }
Lieut Abr. Britton } Supernumeraries
Lieut C N Lewis }

Wm Donnison Judge Advocate

The Court adjourned to meet tomorrow morning at eight O'Clock —

Novr 22d 1814 —

The court met pursuant to adjournment —

Present

Major F. W. Armstrong President —

Capt F. L. Ameling } Members { Capt B. Johnson
" U. Allison } { Lieut B. Wright

Lieut J. S. Williamson }
" Abr. Britton } Supernumeraries —
" C N Lewis }

Wm Donnison J. Advocate —

The court adjourned to meet tomorrow morning at 8 O'Clock

Novr 23d 1814

The court met pursuant to adjournment —

Present —

Major F. W. Armstrong President

Capt F. L. Ameling } { Capt B. Johnson
" U. Allison } { Lieut B. Wright

Lieut J. S. Williamson }
" Abr. Britton } Supernumeraries
" C N Lewis }

Wm Donnison J. Advocate

The court adjourned to meet tomorrow morning at eight O'Clock —

Novr 24th 1814

The court met pursuant to adjournment —

Present —

Major F. W. Armstrong President

Capt. F. L. Amelung " U. Allison	Members	Capt B. Johnson Lieut B. Wright
Lieut J. S. Williamson " Abr. Britton " C N Lewis	Supernumeraries —	

Wm. Donnison J. Advocate —

The court adjourned to meet tomorrow morning at eight O'Clock.

Novr 25th 1814

The court met pursuant to adjournment —

Present.

Major F W. Armstrong — President

Capt. F. L. Amelung " U. Allison	Members	Capt. B Johnson Lieut B Wright
Lieut J. S. Williamson " Abr. Britton " C. N Lewis	Supernumeraries —	

Wm Donnison J. Advocate

The court proceeded to the trial of Thomas Puckett a soldier in the 24th Infy on the following Charges & Specifications

Charges & Specification against Thomas Puckett a private of the 24th Regt. United State Infy this 23^d day of Novr 1814 —

Charge – Desertion –

Specification – Deserting the service of the United States some time in the month of October last

Jno S Williamson

Lieut 24th Infy

To which the prisoner pleaded not Guilty –

Lieut J. S. Williamson of 24th Infy being sworn on the part of the prosecution states – The prisoner informed me that he enlisted with Lieut Peck at Sparta in White County some time in the month of October – In a short time after his enlistment, that he had left Lt Peck; & after finding his error that he was anxious to return to his duty, but was apprehended & confined in the Goal of White county about 4th Novr that he had given up his arms & accoutrements to one Simpson –

The prisoner states in his defence that on the night of his leaving the detachment three others left and solicited and persuaded him to desert with them that they were old men and himself but about seventeen years old, that one of them in order to induce him to leave the service, took from him his knapsack, with all his money about fifteen dollars –

The court, having heard the testimony, was cleared & proceeded to pronounce the following sentence –

The court after mature deliberation

find the prisoner Guilty of the charge and Specifications and do Sentence the said Thomas Puckett to suffer Death by shooting —

The court in consideration of the prisoner age, who from his appearance cannot be more than seventeen, & his father having previously deserted from the same recruiting party and from his defence it appears that his inducements were great. The court unanimously recommend him as a fit subject for the mercy of the Commanding General. Drury Puckett soldier of the 24th on whom the Court have passed sentence is the father of the prisoner Thomas Puckett —

The court adjourned sine die. —

T. W. Armstrong
Majr 24. Inf. Presdt

Wm. Donnison
Judge Advocate

&

P. Desisters

Mobile

1814, Dec. 5.

Court Martial of Militia prisoners.

execution in time of peace

Court of 5 — necessary

Mobile 5th December 1814

Proceedings of a General Court Martial held at Mobile by virtue of the following Orders —

(Copy)

Adjt Genl Office
November 21st 1814

Head Quarters
7th Milty district }

After Genl Orders —

A General Court Martial to consist of Five Members and two Supernumeraries will convene at Mobile at such time as Lieut. Colo Arbuckle shall direct, for the trial of such Militia Prisoners as may be brought before it. Col. P. Perkins is hereby appointed President of the Court and Lieut. W. L. Robeson of the 3d Regiment Infantry will act as Judge advocate — Col. Pipkin of the First Regiment W. T. Militia will detail the Members from the State Troops at and near Fort Montgomery order on all the Witnesses necessary for the trial of the Prisoners of his Regiment at this Place — also furnish Specific charges against them and lastly will notify Lieut. Colo Arbuckle of the probable time they will reach this Point to enable him to regulate the hour of sitting

By Command
(signed) Robt. Butler
Adjt Genl

"Orders"

The General Court Martial of which Col. Perkins has been appointed President will convene at 11 Oclock on the 5th Instant at such Quarters as the Asst. Dty. Q. M General may assign for that purpose

Signed M Arbuckle
Lt. Col. Comg

The Court met pursuant to the preceding Order present

Lt. Col.	P. Perkins	President	
Major	Wm. C. Smart		
Captains	James Blackmore		Members
	William McKay		
Lieut	James Boyd		
Lieut.	David Mitchell		Supernumerary
Ens.	James H. Williams		

The Court having been regularly constituted and no prisoners appearing before them for trial adjourned until tomorrow 10 Oclock

The Court met pursuant to adjournment present the President and Members and having been qualified in presence of the Accused who being previously asked if they have any Objection to any of the Members and having answered in the

negative proceeded to the trial of Capt John Strother 1 Regt. W. T. Militia arraigned on the following charges and Specifications 4

Charge 1st Exciting to Mutiny

Specificn In this that on the March between Fort Deposit and Fort Jackson between the 4th of July and 31st of the same he stated in presence of some of the Troops there was no law to compel them to serve longer than Three Months and unless he was shewn a better law than he had seen he would march his Company home at the end of that time

Charge 2nd Conniving at Mutiny

Specificn In this suffering those under his command to go unreported to the Commanding Officer contrary to the Rules and Articles of war in such case made and provided and in using words tending to lead men to the Act of Mutiny, Stating that if he was the Lieuts he would march the Company under his command home on the 21st September 1814

Charge 3d Disobedience of Orders

Specificn In this not complying with the Regimental Order bearing date the 25th August 1814 which required the Officers of all grades and privates to use their best endeavour to suppress any mutiny or intended Mutiny under the pains and penalties of a violation of the law of the United States

To which charges and Specifications he pleads Not Guilty

3

Lieut Thomas Horns a witness in behalf of the prosecution being sworn states that the accused observed to him but a few days before the Mutiny broke out at Fort Jackson that he would be angry enough to shoot any of his men who would pretend to go home previous to the 20th December and had previously directed his men to discard the Idea of going home until he went which would be at the expiration of six months

Question by the Prosecutor, At what time did you first hear Capt Strother dissuade his men from going home?

Answer I disremember but believe it was in Septr.

Ensign Thomas Simpson a witness in behalf of the prosecution being sworn states that he frequently heard that Capt. Strother should have said that if he was a Lieut or Ensign he would march the men home upon which he applied to him to know whether or not he had used such an expression when the Captain informed him that he had not, and advised him to stay and do his duty until he the Captain would go which would be at the expiration of six months and at another time he heard the Capt tell some of his men that if they went it would be at the risque of their lives being short and perhaps have cause to regret such an Act as long as they lived

Question by the Court, Did you ever hear Capt.

Strother use any threats towards the men who were talking about going home say that he would put them under Guard or report them to the Commanding Officer? —
Answer I do not know that I did further than stated heretofore. —
Question By the Prosecutor How many days before the men actually went off did you hear this enquiry of Captain Strother?
Answer I do not recollect the precise time but believe it to have been six or eight days previous—
John S. Smith (Fife Major) a witness in behalf of the prosecution being sworn states that he never heard any language used by the Captain to his men but to continue in service until the expiration of their six months and that it was highly improper to be breaking off and that they would be punished if they went sooner.—
Sergeant John D Smith a witness in behalf of the prosecution being sworn states that he formerly belonged to Capt Smiths and was attached to Capt Strothers Compy at Fort Williams marched under his Command to Fort Jackson and never heard his Capt say one word on the subject mentioned in the charges but once when at Fort Jackson at the time the Mutiny assumed a pretty high Tone he Observed "Boys hush mutinying, stay until I go home which will be at the expiration of six Months. —

David Morrow Sergeant of Capt Strothers Company a witness on behalf of the prosecution being sworn states that on the March between Forts Jackson and Deposit his Capt asked him how long he expected to stay in service to which he replied six months as they were mustered in for that time when his Capt observed that unless he was shewn a better law than he had yet seen that he should not serve longer than three months and on the 19th Sepr told him that if he was a Lieut or Ensign he would march his Company home at the end of three months as there was no law to keep them any longer

Question 1st by the Accused Do you know whether or not I called for a guard one evening to prevent the Bake house being pulled down and do you know the reason the Guard could not be had"

Answer yes you called for a guard for that purpose and I believe the men were apprehensive of danger

Question 2nd Was not it mentioned as useless to try to get a guard and did I not say that I could get my own guard

Answer You stated that you could get your own guard and I think it was myself who observed it was useless—

Question 3rd was there not a verbal order from the Colo to stop the Guard, perhaps some good men might be killed

answer I think there was such an order but I am not certain.

Question 4th At the time you asked me about going home did I not say you had better stay?

Answer I do not recollect your advising me to stay

Question by the Prosecutr What day of the Month of Sept. was the Bake Shop broken and was not Capt. Strother officer of the day at that time?

Answer. The Bake Shop was broken sometime in the month of Septr. previous to the 20th. and I think Capt. Strother was Officer of the Day.

Question what number of men went to the Bake Shop and did they not force the Camp Guard?

Answer well on to one hundred and the Centinel informed me that they came with their Guns charged and he was compelled to give way and let them pass

Jonathan Smith a private in Capt. Strothers Company a witness in behalf of the prosecution being sworn states that he Knows nothing of the matter.

Question By the Court Did you ever see Capt Strother make any effort to stop the progress of mutiny

Answer. I do not Know that I did

Question by the Prosecutor did you ever hear Capt. Strother say there was no law to compel them to serve longer than three Months?

Answer I never heard him say any such thing

Question by the Accused did you ever hear me try to parade the Guard to stop the affair at the Bakehouse

Answer I recollect your trying to Stop it and calling the Roll to see who was absent —

Rowland Vick a Private of Capt. Strothers Compy. a witness in behalf of the prosecution being sworn states that he Knows nothing of the matter —

Question by the Court Did you ever hear Capt. Strother try to suppress mutiny? —

Answer I recollect when the men were paraded one day Capt. Strother asked them what they were making such a fuss about and on being informed he told them it would be time enough to go home when he went —

Question by the prosecutor, Was that the only time you ever heard Capt. Strother say anything on the subject?

Answer I remember once more he told one of his men he would be shot if he attempted to go —

Question by the Prosecutor, How many days previous to the mens leaving Fort Jackson was this precaution-ary language made use of by Capt. Strother? —

Answer I do not recollect —

Question by the Accused Did you not hear me say to the men the evening they were paraded that they had better stay untill the Experation of Six Months and go home with me?

Answer I disremember —

James Carter a private of Capt. Strothers Company a witness in behalf of the prosecution being sworn

3

States that he Knows nothing of the matter.

Question by the Court Do you know whether Capt. Strother ever used any exertion either to encourage or Discourage Mutiny?

Answer I heard Capt. Strother say to the men that they had best quit such foolish Notions and remain until he went home?

Question by the Prosecutor Did you ever hear Capt. Strother threaten to have men put under Guard who were speaking of going home at the Expiration of three Months?

Answer - I never heard any thing of the matter

John Harris a private of Capt. Kilpatricks Company a witness in behalf of the prosecution being sworn states that he never heard Capt. Strother make use of any such language as charged for or against

Francis Comperry a Private of Capt. Strothers Company a witness in behalf of the prosecution being sworn states that in passing by the Capts. Tent he heard some of the men ask Capt. Strother what would be the Consequence were they to go home to which he replied that he had been looking and could find no law compelling them to stay longer than three Months and that he did not Know whether they would be hurt or not

Question by the Accused Do you Know how

many men then was in my tent did you see any or
was it at my tent or at the Store you heard this
language or did you see me?

Answer As I passed in the rear of the Tent I could
neither see nor tell how many were within but I
heard your Voice in the Tent

Question Did I not tell you to stay when baking
buiscuit?

Answer I did not hear you say so!

Robert Kilgore a Private in Capt. Strothers Compy
a witness in behalf of the Prosecution being
sworn states that he never heard any language
used by Capt Strother on the Subject of the Mutiny
but once when he stated to his men the propriety
of staying until he went which would be time
enough.

William Long a private of Capt. Strothers Company
a witness in behalf of the prosecution being
sworn states that Capt Strother came to the men
on parade the night previous to their departure
from Fort Jackson and told them it would be
time enough to go home when he did.

Question by the Prosecutor Was that the only time
you ever heard Capt Strother say any thing on the
subject?

Answer I heard him speak on the subject several times

The Court adjourned until tomorrow 10 o'clock

The Court met pursuant to Adjournment
Present the President and Members and proceed
to the further examination of the Witnesses
Sergeant Elijah Cheek of Captain Strothers Company a
witness in behalf of the prosecution being sworn states
that he heard his Capt. at several times tell the men
when speaking about departing from Fort Jackson
to stay until he went which would be time enough
and that he heard Capt. Strother say there was no
law to compel them to serve longer than six months
Anderson S. Britt of Capt. Strothers Compy a witness
in behalf of the prosecution being sworn states that
he heard Capt. Strother say to the men one Evening on
parade that it was rumoured in Camp that they
intended going home at the end of three Months and
he wished them to use no more language of that nature
but remain until he intended going home which would
be in Sufficient time and further that this Conversation
took place about two or three weeks before the
men left Fort Jackson
John Green a private of Capt. Strothers Company a
witness in behalf of the prosecution being sworn states
that he never heard any other language used by his Capt
the accused than to advise his men to continue until
he went home which would undoubtedly be at the
end of six months - and further that this language
was used in presence of his Compy. after having called

them to the Centre on parade the evening after the Bake Shop was pulled down
Moses Age a private of Capt. Strothers Compy a witness in behalf of the prosecution being sworn states that he knows nothing of the matter as he was sick nearly all the time he was at Fort Jackson
Col. L. Pipkin a witness in behalf of the deft. being sworn states that Capt. Strother asked him perhaps twenty or thirty days previous to the men going off from Fort Jackson to shew him the law which compelled men to stay in service longer than three months, that he replied that it was not in his possession upon which the Capt. Stated that it was his duty to know it / that the accused never reported to him as Commanding Officer any thing relative to the mutiny of his Company on the night of the 15th Sepr when the Bake Shop was demolished; he heard the accused who was then Officer of the day parading the Troops and believe it to have been his Company to check the violence committed on the Bake Shop / that he ordered the party not to march against the mutineers as he conceived them too inconsiderable to effect any good that he recollects no other attempt made by Capt. Strother to quiet the refractory disposition of the men but once when he heard the Capt ask the men if they had no breeding, that they behaved

like a parcel of savages, to let him hear no more of it, until the 20 Sepr when the mutinous party left Fort Jackson—

Major Jacob Thompson a witness in behalf of the Deft being sworn states that he was absent from the Regt the whole time of the Affair at Fort Jackson—

Question by the Accused. Did you ever hear my superior officers say whether or not I was Obedient to their orders?

Answer Sometime after the mutiny at Fort Jackson I heard a conversation between yourself and Col. Pipkin when you asked him if you were not as obedient an Officer as any under his command when he answered in the affirmative with the exception of your conduct during the Mutiny at Fort Jackson and that he supposed you were not as active in discharge of your duty as might have been expected

Lt. John T. Cooksey a witness sworn states that during his continuance at Fort Jackson he never saw any thing favorable or unfavorable to his conduct as charged and that he once heard one of Capt. Strothers men say that he had no person but himself to blame for his conduct in leaving the service.

Major John C. Hicks a witness in behalf of the Defendant states that between the 1st and 10th August while at Fort Jackson the accused called at the Col.s Tent and said that he would be glad to see any law which would compel men

to stay in service longer than three months when he got the Rules and Articles of War and read them himself and after he had borrowed and returned them about the 11th one of his Sergeants called to borrow it and read the law of the 10th April 1812 on the Subject of Militia term of Service immediately afterwards there was material altercation in the Sergeants behaviour the Sergeant engaged in conversation with some on the same Subject and that he was compelled to order the Sergeant to desist using such mutinous language

Question by the Defendant Was I obedient or not to the orders of my Commanding Officers?

Answer you always executed orders that were given with the exception of the Order of the 28th August 1814 relative to which the Col. as well as myself considered you indolent and sometime after the mutiny had assumed a decided aspect I heard you tell some of your men that they had better not go home on 20th Sepr and to wait until you ~~[illegible]~~ went

Ensign William Pegram a witness in behalf of the defendant being sworn States that he was at Fort Jackson only a short time during which he was frequently in company with Capt. Strother, that he never heard him say any thing either directly or indirectly tending to excite mutiny and produced a letter dated Fort Jackson 7th Sepr of which he was bearer from Capt. Strother to his Brother in law at Fort ~~Jackson~~ Williams from which the

following is an Extract "I want you to stay at Fort Williams if not ordered down here, or at least to wait for me at Fayetville until we are discharged and try and stop that simple notion the men have of breaking off on the 20th this month to go home give the men in my Company my compliments, tell them not to move from there until they are ordered by proper authority"
Ensign Geo. J. Martin a witness in behalf of the Deft. being sworn states that on the march or while at Fort Williams Capt. Strother asked him if he ever saw any Militia law compelling the men to stay in Service for a longer period than three months, in answer to which he observed he had never seen any such law and that he was at Fort Jackson about the 12th Sepr. when he heard much mutinous language among the Soldiers and received an assurance from one of the Captains men that his officers discountenanced every such procedure
Jonathan Smith a private of Capt. Strothers Compy. a witness on behalf of the defendant being sworn states that his Capt. always told him that he was bound to stay six Months, believes used his best endeavours to suppress Mutiny and that he heard such language from his Capt. at various times and sometime subsequent to the 10th he persuaded his men to continue in Service until

Majors Hick ~~Dix~~ Ralston could go to Nashville to procure the law relative to their term of Service and that he heard one of the men of Capt. Strothers Company say that if he could break the Officers the men would be cleared.

Here the evidence ended

"Captain John Strother states in his defence that "he is conscious of his Innocence and willingly "submits his cause to the decision of the Court and "to do equal Justice to himself and Country"

~~The Court after mature deliberation on the evidence adduced for the accused.~~

" The court find the accused Guilty as charged " with the exception of of "Failing to report his men " to the Commanding Officer" and sentence him to " be dismissed the service as unworthy of holding a " Commission in the Army of the United States

The Court adjourned until tomorrow 9 oclock. The Court met pursuant to Adjournment present the President and Members proceeded to the trial of Third Lieut. James McCauley 1 Regt. W. T. Militia arraigned on the following charges and Specifications

Charge 1st. Exciting to Mutiny

Specificn. In this that between the 10th and 20 Septemr. 1814. Speaking words tending to lead men to the act of mutiny by saying that the Opinion of

the United States Attorney of the State of Virginia was nothing but Newspaper law-

Charge 2nd Conniving at Mutiny

Specifcn. in this that on the 19th Sept. 1814 he gave directions to some of the mutinous party to put in his knapsack his proportionable part of provisions which had been forcibly taken out of the Issuing house by them and further said that he would be with them in a few days as he had some business to settle which would detain him that length of time-

Charge 3d. Disobedience of Orders

Specifcn. In this not using his endeavour to suppress any mutiny or intended mutiny as required by said order of the 23d. August 1814. To which Charges and Specifications he plead Not Guilty

Lt. Thomas Horn a witness in behalf of the prosecution being sworn states that he knows nothing of the matter in point-

Sergt. John D. Smith of Capt Strothers Company a witness in behalf of the prosecution being sworn states that he never saw any exertion made by the accused either to excite or discourage Mutiny

Jonathan Smith a private of Capt. Strothers Compy. a witness in behalf of the prosecution being sworn states that the men frequently collected in front of Lt. McCauley's tent to make use of the Black drink before their departure from Fort Jackson and that

he never knew any attempt made by the accused either to excite or suppress mutiny

James Carter a private of Capt. Strothers Comp.y a witness being sworn states that he knows nothing of the matter

Rowland Vick a private of Capt. Strothers Company a witness being sworn in behalf of the prosecution states that he recollects of no attempt made by the accused either to encourage or discourage mutiny and further sayeth not

James Grundral a Corp.l of Capt. Strothers Comp.y a witness in behalf of the prosecution being sworn states that he heard the accused say that the Opinion of the U. S. attorney of the State of Virginia was nothing but newspaper law that the accused asked him between the 13th & 20th Septem.r if he had given out the foolish notion of going home, that his answer was in the Affirmative as he disliked the Idea of being confined under guard and he wished to do the thing that was right when the accused asked him if he did not think it was right to go home that he replied in the negative as the Co.l discountenanced it and his Orders ought to be obeyed the accused then told him that the Col. wished to devil them all that he could at which time the Conversation ended and the same evening they met and the accused asked him if he had determined on or if he had made his mind to go, said some would and if any did he wanted the Company particularly to do so, that the Lieut. was

frequently present when the men were using the Black Drink and uttering mutinous language and knows of no attempt made by the accused to stop the progress of mutiny

John Smith Fife Major a witness in behalf of the prosecution being sworn states that several of the men in his presence asked the Lieut. his opinion on the subject of going home and the only answer he ever heard to such inquiries was that it was not right to go home but knows of no other exertion by him to suppress mutiny

David Morrow Sergeant of Capt. Strothers Compy a witness in behalf of the prosecution being sworn states that he heard the accused say that the opinion of the U. S. Attorney of the State of Virginia was nothing but Newspaper law, heard him ask some of the men who were dividing provisions taken from the issuing house if they had put any in for him when he was asked by some of the party if he would go, he answered that he reckoned so, and directed his proportionable part to be put in the bag belonging to some of the mess and accordingly one and an half pans full of flour were placed in it.

John Harris a private of Capt. Kilpatricks Compy a witness in behalf of the prosecution being sworn states that sometime in the month of Septemr. one of the men asked the accused in his presence for a

for permission to purchase one Gallon Whiskey to treat the men who were going home on the 20th of the Month and that he smiled and said he would always wish to see men treated in a good cause, Sometime afterwards he went to the accused and asked his Opinion about going home when the accused replied that if he was clear of a Commission as he would act as others were about to do

Col. P. Pipkin a witness in behalf of the Defendant being sworn states that the accused to his Knowledge never made any attempt either to excite or discourage mutiny but supposes that he did not use his endeavours to suppress mutiny as required by a Regimental order dated 23d. August 1814 —

Question by the Accused Did I not sometime before the mutineers went off ask you if those men who remained would not be attached to other Companies

Answer I was asked that question a day or two before they went away by some persons but disremember who they were

Capt. Geo Mebane a witness being sworn on behalf of the Defendt. states that his indisposition during the mutiny at Fort Jackson prevented his Knowing any thing relative to the Lieuts Conduct.

Lieut. John. Cooksey a witness in behalf of the deft. being sworn states that he Knows of no attempts made by the Accused either to excite or suppress mutiny

Lieut. James Boyd a witness in behalf of the Deft.

being sworn states that he is totally unacquainted with the Lieuts. Conduct but heard the Commanding Officer express his Opinion on the Subject and said he thought the accused was not as vigilant as could be expected

Ensign Thomas Simpson a witness in behalf of the Deft. being sworn States that he knows of no language made use of by the Accused as charged and no attempt of his to excite or suppress mutiny, that he heard the Lieut. say that he did not calculate on going home until he obtained an honorable discharge which would be between 20th December and 20th Jany. 1814.

Ensign Jesse Gilbert a witness in behalf of the Deft being sworn states that he was frequently in Company with the accused during the Mutiny and never heard him make use of any language as charged and of no attempt of his either to excite or check the proceedings of the Mutinous party.

Question by the Accused Did you never hear me say that I was determined to continue in service until I got a proper discharge?

Answer You mentioned him that it was your intention to stay until the expiration of the time of Service let others do as they would and that this observation was made by the accused about eight or ten days previous to the mens departure from Fort Jackson

James Shelton a private of Capt Strothers Compy a witness in behalf of the Defendt being sworn States that he heard the Accused several times check the men when using mutinous language and say that they had best stay, that he and the Accused messed together ever since mustered into Service, knows of no provision having been drawn from the mutinous party or any for the purpose of going home that the Accused ~~ha~~ stated to some of the men who intended mutinying ~~of the~~ the impropriety of leaving the Service and that the Col. had informed him that provided they would stay they should be commanded by their own officers

John Benham a private of Capt. Strothers Compy a witness in behalf of the Deft. being sworn states that the Accused and himself messed together during the mutiny at Fort Jackson, that the Accused frequently checked the men when using mutinous language in his presence knows of no provisions having been received in the Mess from the mutinous party, heard the Accused say at various times that he did not calculate on getting home previous to 15 January

John F. Clarke a private of Capt. Strothers Company a witness in behalf of the Defendt. being Sworn States that he knows nothing of the matter

John Bumpass a private of Capt Strothers

Company a witness in behalf of the Defendant being sworn states that he knows nothing of the matter contained in the charges—

Benjamin James a private of Capt. Strothers Compy a witness in behalf of the defendant being sworn states that the accused told him that he expected to continue in service until the expiration of the time, that in his presence he ever persuaded the men to stay at Fort Jackson until discharged and such language was used by the accused at various times during the mutiny

Robert Plant a private of Capt. Strothers Compy a witness in behalf of the Deft. being sworn states that the accused advised him not to leave the service although all the Company should, that he ever shewed a disposition to suppress mutiny as far as came within his view and heard him threaten to put some of his men under guard who was speaking of going home—

The Court adjourned until tomorrow 9 OClock

The Court met pursuant to adjournment Present the President and Members and proceeded to business—

Ensign Geo: J. Martin a witness in behalf of the defendant being sworn states that he knows nothing of the matter further than he heard one of the men under the Command of the accused say that he had to blame himself alone for his misconduct in leaving the Service—

Philip Bryant a private of Capt. Strothers Compy a witness in behalf of the defendant being sworn

States that the Accused directed some of the Men in his presence to discontinue the use of Black Drink to stay in service until they were certain the time had Expired for which they had Engaged, he heard some of the Mutinous party ask the Accused if they were to take him outside the chain to the Old Encampment at the point of the Bayonet if he would not follow on them. to which he replied they must use no such threats as that, when one of the party said they would try it any how, whereat the Accused turned off and left them, sometime afterwards returned, some of the party asked him if they should carry any provisions for him that the Accused answered in the Negative and said return what you have taken by force from the Issuing house - And as far as came under his view the Accused discountenanced all mutinous proceedings heard one of the Witnesses in behalf of the prosecution say that if the Capt and Lieut. could be broke the men would be acquitted, that he has frequently heard the men ask the Lieut. if he intended going home and that he always told the men to stay six months, and said that he intended to stay as long as the Col. did

Lieut. McCauley states in his defence that he is conscious of his Innocence and cheerfully submits the matter to the decision of the Court

The Court after mature deliberation on the Evidence adduced find the Accused

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" ~~The Court Fi... He...~~ Guilty as charged
" and sentence, that he be dismissed the Service -
" have his Sword broken over his head, with
" a total disqualification of ever holding a Com
" =mission in the Army of the United States -

The Court having been qualified in presence of the Prisoners who having been previously asked if they had any objection to any of the members and having answered in the Negative proceeded to the trial of

Jacob Webb a private of Capt. Strothers Compy

Charge Desertion

Specificn. In this that on the night of the 19.th Sepr. 1814 he deserted his post while on Guard between the hours of six in the Evening and six of the morning of the same Month Sepr. 1814

Charge 2nd. Mutiny

Specn. In this that on the morning of the 20 Sepr. 1814 he paraded with the mutinous party and at the end of Revelee beat marched off with them yelling and firing his scattering Guns and after arriving in the neighborhood of Fort Strother between the 21st. and 30th. September 1814 he headed the Mutinous party of Capt. John Strothers Company -

Charge 3d. Robbery

Specn. that between Fort Strother and Fort Deposit

he stopped a Waggon and took out flour belonging to the Contractor Agents Pope, Braham & Hickman in the month of Septem^r between the 20th and 30th of the same

To which charges and Specifications the Prisoner Plead Not Guilty

Lt. David Mitchell a witness in behalf of the prosecution being sworn states that he is totally unacquainted with the matter

Lt. Thomas Horne a witness in behalf of the prosecution being sworn states that he was Officer of the Guard on the 19th Sept^r, that the Prisoner belonged to his Guard refused to do the duty of a Sentinel on post and did not return after going to his Tent altho ordered to do so and continued there during the night - On the morning of the 20th Sepr the Mutinous party left Fort Jackson after which the prisoner was missing and Candidly believes he accompanied them

Capt Strother a witness in behalf of the prosecution being sworn states that he believes the prisoner paraded at Reveille as charged and he is certain that he marched off with the mutinous party

John Carrol a witness in behalf of the prosecution being sworn states that the prisoner was not the man who forcibly took the provisions of the Contractors Waggons

The Court adjourned for want of Evidence until tomorrow 9 OClock

The Court met pursuant to adjournment present the President and Members and proceeded to the further Examination of the Witnesses

Green B Newsom a private of Capt. Strothers Compy a witness in behalf of the defendant being sworn states that the prisoner deserted his Post at Fort Jackson went of with the mutinous party and when in the Vicinity of Fort Strother was elected Captain of the party, does not know who robbed the Waggons of Flour, that the Prisoner as Capt ordered them to interfere with nothing at Fort ~~Jackson~~ Strother and accordingly nothing was touched

Samuel C H. Burton a private of Capt Strothers Compy. a witness in behalf of the defendant states that he believes Webb was not present when the flour was taken from the Waggons—

Samuel Gibbs a private of Capt Strothers Compy a witness in behalf of the defendt. being sworn states that the prisoner did march off on the morning of the 20 Sepr. with the mutinous party and believes the prisoner was not concerned in taking the flour from the Waggons

J Webb a private of Capt. Strothers Compy a witness in behalf of the defendt. being sworn states that the prisoner took Command of the mutinous party of Capt. Strothers Compy. at the request of a majority of the men and he believes with the intention of comforting the sick and preventg violence on the Forts

= The Prisoner in his defence states that he served three months faithfully and conceived from the best information he could get that his term of service had expired, that he was told by both non Commissioned

Officers and privates that it was nothing but right to go home and as soon as he discovered his error he returned to his duty

= The Court After mature Consideration on the evidence adduced find the Prisoner Webb

" ~~The~~ Guilty of the first
" and second Charges and Specifications and
" Sentence him to receive the Punishment of
" Death by Shooting –

= David Morrow a Sergeant of Capt. Strothers Company W.T.M.

Charge 1st. Mutiny

Spec: In this that between the 20th and 30th Sept. 1814 he carried about a paper to get Assigners to go home on the 20th of the same also on the morning of the 19th. Sept. 1814 he forced the Guard at the Issuing House and broke the Door and rolled out Several Barrels of Flour Went to the Bullock Pen, shot down several Beeves, brought them to Camp, there issued the Beef and flour among the mutinous party, cooked it and on the morning of the 20th Sep. 1814 at the end of Reveille beat – marched off at the head of the Mutinous party of Capt. Strothers Company Yelling and firing his Gun

Charge 2nd. Exciting to Mutiny

Spec: In this persuading Soldiers to go home on the 20th Sept. 1814 and not reporting those who were speaking words tending to lead men to the Act of Mutiny as required by a Regimental Order of the 23rd August 1814 to which charges and Specifications the prisoner plead not Guilty

Stephen Ray a Sergt. of Capt. Mebanes Compy.

a witness on behalf of the prosecution being sworn states
that he was on fatigue on the 19th Sepr. some of the party
expressed their dissatisfaction at not having an opportunity of
cooking provisions as well as those in Camp when the
prisoner said that any person who intended going home the
next morning was a fool for being there at work according
a great many of the party left their duty and repaired to
the Camp to Cook and that the prisoner did march
off on the morning of the 20th with the mutinous party yelling and firing their Guns
Philip Bryant a private of Capt. Strothers Compy a witness
in behalf of the prosecution being sworn states that he
saw the Prisoner with a subscription paper and heard it
read going about to procure subscribers to proceed home on
the 20th Sepr. 1814 saw the prisoner at the issuing house
heard him order another man to break down the door
saw him picking out flour and having it rolled out on
19th Sept. that Beef was brought into Camp on the same
day and the prisoner issued both meat and flour to the
mutinous party, that the prisoner marched of at the head
of the mutinous party of Capt. Strothers Compy at the end
of Reveillee beat on the morning of the 20th Sept. yelling &
firing his Gun that the prisoner persuaded soldiers to go
home on the 20th Sept. 1814
Col. P. Pipkin a witness in behalf of the prosecution being
sworn states that on the morning of the 19th Sepr. as well
as he recollects) the prisoner was actively employed in getting
the provisions rolled on between the Issuing house and
Encampment on the night of the 17th or 18th of the same month
the prisoner came to his tent and asked permission to go into
a small house and write a letter to his family stating

that he had declined going home; that he saw the Alter- which was expressive of his intention of staying in service until he could get an honorable discharge. On the morning of the 20th thinks the prisoner paraded on the right of the mutinous part of Capt. Strothers Compy. at the beat of Reveillee - and is not positive whether he marched off on that way or not but believes he did and he disremembers the prisoners reporting any of the party who were acting mutinously

George Cokes a Corpl. of Capt. Strothers Compy. a witness in behalf of the prosecution being sworn states that the prisoner issued the provisions on the 19th Sepr. to the mutinous party and further believes that the prisoner fired his Gun on the morning of the 20th when marching off from Fort Jackson

Green B. Nusom a private of Capt. Strothers Compy. a witness in behalf of the prosecution being sworn states that he believes the prisoner was not of the party who brought in the Beef and was at the head of the mutinous part of Capt. Strothers Compy. when they marched of on the morning of the 20th Sept. 1814

George Gumtreel a Corpl. of Capt. Strothers Compy. a witness in behalf of the prosecution being sworn states that the prisoner was not of the party who shot the Beeves at the Bullock Pen. - . -

Capt. Strother a Witness in behalf of the prosecution being sworn states that the prisoner marched off with the mutinous part of his Compy. on the morning of the 20 Septr. and that the prisoner never reported any men to him who were speaking about going home from Fort Jackson

The Prisoner having refused the priviledge of producing any evidence in his behalf- exhibited an honorable dis=
=charge from the 28th Infty and the following Genl Order

(Copy) Camp Stewart 1st Novr 1814

General Orders.

To All Officers of the United States Army

Whereas David Morrow belonging to Capt. John Strothers Company attached to the 1st Regt. Tennessee Militia who deserted from Fort Jackson the 20 or 21 Sepr last has come forwardes and surrendered himself to this Camp, has acknow=
=ledged the error of his conduct, professed his penitence for the same and begged permission to join his Company & serve out his time of Service or duty as a faithful soldier he is hereby pardoned on reporting himself to his Compy of Col. P. Pipkins Regt without delay subject to the will of the Commanding General. The Officers commanding at Stations are directed to furnish him with Rations and the said David Morrow is permitted to join Capt. Blackemore's who will suffer him to do so in order more safely to pursue his proper Journey to his proper Station

By Command

signed Geo: Duffield
aide de Camp to
Brig Gen Taylor

and states in his defence that the reason of his leaving the Service was in consequence of the Advice which he recieved from his Captain corroborated by the Opinion of Genl. Johnson, Col. Chatham, Capt. Earp as well as many

others who stated that there was no existing law within their knowledge compelling men to stay in service longer than three Months, as well as an assurance of Sergt. Cheek who said that he had once left the service under the same law and had not received any punishment for doing so and furthermore throws himself on the mercy of the Court

~~The Court after mature consideration on the evi-dence find [illegible]~~

The court after mature consideration on the evidence adduced find the prisoner Guilty as charged, with the exception of forcing the Guard and Killing the Beevy, and Sentence him to receive the punishment of Death by Shooting.

John Harris a Private of Capt. Strothers Compy

Charge 1st. Mutiny

1814

Proceedings of Genl.
C. M. held at Mobile
for the trial of militia
Lt. Colo. Perkins President

John Harris a Private of Capt. Strothers Compy.

Charge 1st. Mutiny

Specn. In this between the 10th and 20th. Sept. 1814 he went about thro' the Camps to get Assignors to go home on the 20th. Sept. 1814 and stated that he would soon have a larger Company than Capt. Kilpatrick and on the morning of the 19th, he received the proportionable part of the Beef and Flour that was forcibly taken cooked it and on the morning of the 20th Sept. 1814 at the end of Reveillee Beat marched Off yelling and firing his Gun, and after Arriving in the Neighbourhood of Fort Strother he stated that he would retake those who had been taken by Capt. Blackmore

Charge 2nd. Conniving at Mutiny

Specn. In this not reporting those who were of the mutinous party as required by the Rules & Articles of war= To which charges and Specifications the prisoner plead not Guilty Dr. Noah Bennett a witness in behalf of the prosecution being sworn states that he saw ~~a paper~~ the prisoner on the 19th Sept. 1814 with a paper containing a good many names and the prisoner informed him he only set down such mens names as directed him to do so, that those who were present said it was a list of mens names to draw provisions to go home on the 20th. that the prisoner was one of the Mutinous party who marched off on the morning of the 20th. that he belonged to the same Company and believes the prisoner never reported any of the Mutinous party as required

by the Rules and Articles of War, that the prisoner was
under his immediate Command on 19th Sept. and that he
behaved himself as usual well until the evening when he
saw him with the paper described heretofore
John H. Hogan a witness in behalf of the prosecution
being sworn states that he saw the prisoner with a paper
setting down such mens names as intended drawing
provisions for the purpose of going home, and on the
morning of the 20th. Sepr. he saw the prisoner march
off with the mutinous party.
John Husbands a private of Capt. Kilpatricks Company a
witness in behalf of the Deft. being sworn states that he saw
the prisoner sometime previous to the 20th Sepr. with a paper
setting down such mens names as intended going home, that the
prisoner did not appear to be using any persuasion and stated
that it was right some should remain at the Fort, that he
would soon have a larger Company than Capt. Kilpatricks
and believes that the prisoner did march off with the
mutinous party on the morning of the 20th.
John Johnston a private of Capt. McKays Compy a witness
in behalf of the prosecution being sworn states that while
at Fort Jackson in the month of August he heard the prisoner
say that there was no law to compel the men to stay
in Service longer than Three Months, that he was a man
of Spirit and would not stay longer, that a considerable
number of the men would go then and one that would
refuse he could see Bayonetted about Six Inches, that

they would go up to the Big or great man and shiver their muskets over his head but not strike so hard as to Kill him

The Court adjourned until tomorrow 9 OClock

The Court met pursuant to adjournment Present the President and Members and proceeded to the further examination of the Witnesses

Edward Stephens a Sergeant of Capt. Kelpatricks Compy a witness in behalf of the defendant being sworn states that he saw the prisoner with a paper setting down such mens names as was going home and said that he would take down none but such as directed him to do so and the prisoner marched of with the mutinous party on the 20th. Sept.

James Alexander (Sgt Major) a witness in behalf of the Defent. being sworn states that on the 19th Sept. he saw the prisoner when the provisions were issued, believes he received his proportionable part and on the morning of the 20th. marched off with the mutinous party, that the prisoner told him he had not supposed the list which he had of the Mens names was improper as it was to be handed to the Col. that the prisoner gave up his Gun to Capt. Kelpatrick and thinks he demanded and got a receipt which he had given for his Gun or the Capt. wrote one for that purpose

Ensign Daniel Kelly a witness in behalf of the deft being sworn states that the prisoner belonged to the sam company and was frequently near him during August and the beginning of September that he generally behaved himself well and was Obedient to Orders —

James Smith a private of Lt Mitchells detachment a witness in behalf of the Deft being sworn states that the prisoner advised him not to go home with the mutinous party and believes went himself on the 20th Sept
James Nelson a private of Capt Mebanes Compy a witness in behalf of the defendt being sworn states that he heard Genl Washington of Tennessee say to the Members of a Court Martial that he did not know whether the men were ordered out for a tour of three or six Months, that he had wrote to the Governor but had received no answer to his letter on that subject —

The prisoner states in his defence that he was totally — unacquainted with the nature of Militia Service, that he had frequently heard his Officers say they knew of no law compelling Militia to remain longer than three Months and from the Opinion of other men of respectability and information, conceived his term of service had expired, returned his Gun to his Capt under that impression took up the receipt he had given for it and departed from Fort Jackson conscious of having discharged his duty.

The Court after mature Consideration on the evidence adduced find the prisoner Guilty as charged " with the exception of "yelling and firing his Gun," " and saying he would retake those who had been " taken by Capt Blackmore" and Sentence him to receive " the punishment of Death by Shooting —

The Court adjourned until tomorrow 9 OClock —

The Court met pursuant to Adjournment present the President and Members and having been qualified before the Prisoner Lewis who having been previously asked if he had any objection to any of the Members of the Court and answering in the negative proceeded to the trial of Henry Lewis a private of Capt. Mebanes Compy.

Charge 1. Exciting to Mutiny

Specn. In this; That between the 10th and 20th Sepr. 1814 in presence of a large portion of the Troops said there was no law to compel Militia to serve longer than three Months at any time and said that he would go home on the 20th. Sepr. 1814 and that he would take provisions where he could find it

Charge 2nd. Mutiny

Specn. In this that on the morning of the 19th Sepr. 1814 he went to the Bullock Pen, shot down several Beeves, brought them to the Camp, made proclamation for the Mutinous to draw Rations to take them home of the Beef and flour that was forcibly taken, Cooked it and on the morning of the 20t. Sept. 1814 at the end of Reveillee marched off at the head of the mutinous party of Capt. Mebans Compy. yelling and firing scattering Guns. — To which charges and Specifications the prisoner plead not guilty

Major Hicks a witness in behalf of the prosecution being sworn states that he heard the Prisoner say there was no law or he believed there was no law to serve longer than three months and he intended going home at the expiration of that time and he or they would take provisions where it could be found — Heard Major Hickman state to him upon honor that there was law, he had seen it

compelling Militia to stay six months, that he had seen in a Virginia Newspaper that the Act of 10th April 1812 had been revived in 1814 — upon which the prisoner replied that it was nothing but Newspaper law and he would not believe a word of it

Major Rolston a witness in behalf of the prosecution being sworn states that he saw the Mutinous part of Capt. Mbanes Company march off and believes the prisoner was among them —

Col. P. Pipkin a witness in behalf of the prosecution being sworn states that on the 12 Sepr. 1814 the prisoner observed in his presence that he did not know of any law compelling men to stay in service longer than three Months, he would go home at the end of that time "he or they" would take provisions which could be found — On the Morning of the 15 he saw the prisoner with his Gun and a party coming in the direction of the Bullock Pen — On the morning of the 20th while Reveille was beating saw the prisoner march out of Fort Jackson at the head of the Mutinous party of Capt. Mebanes Company took the right of the line and at the end of Reveillee countermarched from the right and took the Road

Lieut. John J. Cooksey a witness in behalf of the prosecution being sworn states that the prisoner marched off at the head of the Mutinous part of Capt. Mebanes Compy on the morng of the 20th Sept.

Corpl. James Gumbreel of Capt. Strothers Company a witness in behalf of the prosecution being sworn states that he

heard the prisoner say he believed there was no law com-
=pelling Militia to stay in service longer than three months
he would be glad to see such a law as he had served
one or two tours of duty and if it was justice he was willing
to serve six months, and that the Prisoner did not kill the
Beeves at the Bullock Pen —

D Richard Swanson a witness in behalf of the prosecu-
=tion being sworn states that he saw the prisoner with the
mutinous party while the Provisions were issued and believes
he received his proportionable part.

W L D Routon Serg.t of Capt. Mebanes Company a witness
being sworn in behalf of the prosecution states that he
believes he heard the prisoner say there was no law or he
never saw any person who had seen a law compelling —
Militia to serve longer than three Months and unless such
a law was shewn him he would go home on the 20 Sep. 1814

= The prisoner having voluntarily refused to produce any
evidence in his behalf states in extenuation of his Conduct
that he was led astray by the erroneous Opinions of men
of better information, who positively assured him there was
no law compelling Militia to serve longer than three months
that he was also persuaded off by Serg.t Hooker, regrets
such a disgraceful Act and throws himself on the Mercy
of the Court —

= The Court after mature deliberation on the
evidence adduced do find the prisoner Guilty of the
"first and second charges" first Specification
"and so much of the second Specification as marching

"off at the head of the mutinous part of Capt. Melcon's
"Compy on the morning of the 20th Septemr 1814 and
"Sentence him to receive the punishment of
"Death by Shooting—
"The Court having been sworn in presence of the Prisoner
David Hunt arraigned on the following charges and
Specifications who being previously asked if he had any
objections to any of the Members of the Court and having
answered in the negative proceeded to the trial of

David Hunt

Charge Mutiny

Specn. In this that on the 3d Sept. 1814 he said he would go home at the end of three Months or die in the Attempt and that on the 19th Sept. he broke the Guard House and went off with the mutinous party on the 20th Sept. 1814 and that he received his proportionable part of the provisions that were forcibly taken from the Contractors agent on the 19th Septr. 1814 — To which Charge and Specifications the prisoner Plead Not Guilty—

Lieut. Rodney Earhart a witness in behalf of the prosecution being sworn States that he heard the Prisoner on or about the 3d Sepr. say he would go home at the end of three Months or die in the attempt, that he was confined in the Guard House and on the 19th Septr. at night as well as he recollects he made his Escape therefrom

Question by the Prisoner Do you not recollect my saying the cause why I was going home at the

end of three months was that I had sent a letter to my brother to come and take my place

Answer I do but it was after I had threatened to report you for using the expression —

Lieut. R. Swanson a witness in behalf of the prosecution being sworn states that the prisoner was confined in the Guard house on 19 Sept. and on examination of the house on the next morning it was broken and the prisoner missing, the prisoner was cooking provisions on the 19th Sept. and said he intended going the next day —

William Owen private of Capt. Mebanes Company a witness being sworn ~~saith~~ in behalf of the prosecution states that he heard the prisoner say sometime in Sept. that he would go home at the end of three months or die trying

Joseph Lawrence a Corpl. of Capt. Mebanes Compy a witness in behalf of the prosecution being sworn states that he was officer of the Guard on 15 Sept. 1814 the prisoner made his escape on that night and was missing from Camp after the mutinous party marched off on the morning of the 20 Sept. 1814 —

James Dunaway a private of Capt. Mebanes Compy a witness in behalf of the deft. being sworn states that he believes the prisoner received his proportionable part of the provisions which had been forcibly taken from the Contractors and that he did march off with the

the mutinous party on the 20th Sept 1814 - further that the prisoner wrote a letter at the time he was confined under guard to his Brother to come and take his place

The prisoner having declined the privilege of producing any other evidence stated in extenuation that he was totally unacquainted with the law of Militia Service, was induced to believe thro the Opinion of other men that there was no law compelling them to serve longer than three months, that he was threatened into the act by others, erred through ignorance is sorry for his improper Conduct and solicits the mercy of the Court

The Court find the Prisoner Guilty as charged " and Sentence him to receive the punish " = ment of Death by Shooting. ~~

The Court having been sworn in presence of the prisoner arraigned on the following charges and Specifications who having been previously asked if he had any objection to any of the Members and having been answered in the negative proceeded to the trial of Edward Linsey a private of Capt. Searcy's Company

Charge 1st Mutiny

Specn. In this that on the morning of the 19th Sept. 1814 he went with a number of others to the Issuing house and forced the guard and broke down the

door or shewed others how to do it, and took out several barrels of flour roled them to the camp; issued it, received his proportionable part cooked it, and at the end of Reveille Beat marched off with the mutinous party yelling and firing his Gun —

Charge 2nd Exciting to Mutiny

Specn. In this that between the 20th. August and 20 Sept. 1814 Speaking words tending to lead men to the Act of mutiny —

To which charges and Specifications the prisoner plead not Guilty —

Corpl. James McDonald of Capt. Mebans Compy a witness in behalf of the prosecution being sworn states that the prisoner passed or forced the Guard going to the Issuing house with a number of others on the 19th. Sept. that he lifted the door down, that flour was rolled out by the same party and carried to Camp, issued and believes the prisoner received his proportionable part and disremembers seeing him for several days after the 20th. Sept. 1814 —

Edward Pickett a private of Capt. Searcy's Compy a witness in behalf of the prosecution being sworn states that he saw the prisoner at the Issuing house on the 19th Septr. 1814 take a Mattox and shew how the door might be taken down, believes he received his proportionable part of the provisions taken therefrom, and in the morning of the 20th Septr. paraded and at the end of Reveillee beat marched off with the mutinous party —

Pharoah Hudgins a private of Capt. Strothers Compy a witness in behalf of the prosecution being sworn states that the prisoner stated in his presence that it would not be long "before he would beat "Liberty" when refused the priviledge of passing the Chain, and saw the prisoner march off with the mutinous party from Fort Jackson on the 20 Sept. 1814 —

Lieut. David Mitchell a witness in behalf of the prosecution being sworn states that he saw the prisoner at the issuing house on the 19th. Sep. 1814 take the door down after it had been prized off and the party of which the prisoner was one rolled out eleven barrels of flour, when they had got in front of the line heard the prisoner direct the party to call and receive their Rations which he issued and marched off with the mutinous party on the Morng. of the 20th. Septr. 1814

James Gumbral a Corpl. of Capt. Strothers Compy a witness in behalf of the Defendt. being sworn states that either in August or Septemr. he heard the prisoner say he would endeavour to go home at the end of three months —

Edward Black a private of Capt. Strothers Compy a witness in behalf of the defendt. being sworn states that the prisoner did not break down the door of the Issuing house at Fort Jackson on the 19th. Sept.

The prisoner states in self defence that he did not force the guard as charged, he went to the issuing house

by permission, acted incorrectly through ignorance, regrets the impropriety of his Conduct and implores the mercy of the Court

The Court after due Consideration find the prisoner
" Guilty as charged, with the exception" of
" Cooking his provision, forcing the Guard
" and yelling and firing his Gun" and
" Sentence him to receive the punishment
" of Death by Shooting.—

The Court met pursuant to adjournment Present the President and Members and having been qualified in presence of the Prisoners who having been previously asked if they had any Objection to any of the Members of the Court and answering negatively proceeded to the trial of the Prisoners arraigned on the following Charges and Specifications

Leonard Farmer, Peter Duncan, Stephen Johnson, Lewis Thomas, Simon Scott, Pharoah Hudgins, Samuel H Burton and Samuel Austen of Capt. Strothers Company _ James Thompson, Hugh Carlin, Joseph Wright Joshua Joiner John Smothers and Henry Butler of Capt. Mebanes Compy. Wade H Night, Burwell Holdes, John Oliver, Philip Holland of Capt Searcy's Compy. James Arnold and Alexr. McMorris of Capt. Kelpatricks Company

Charge 1st. Desertion

Specn. In this that on the morning of the 19th. Sept. 1814 between six OClock in the evening and six of the

morning they did desert from their posts on guard

Charge 2nd Mutiny

Specn. In this that on the morning of the 19th Sept. 1814 they recieved their proportionable part of the provisions that were forcibly taken and on the morning of the 20th at the end of Reveilee beat marched off with the mutinous party.

To which Charges and Specifications the prisoners unanimously plead Guilty

"and state in extenuation of their Conduct in substance that from the best intelligence they could get from men who they supposed possessed information sufficient to point out the correct course to be pursued, that they were induced to believe that their term of service was only for three months, were conscious that they had performed their duty faithfully and through ignorance and the machinations of wicked men committed the disgraceful act of leaving the Service of their Country - sincerely profess penitence and implore the Clemency of the Court

The Court after due Consideration find the prisoners Guilty as charged and sentence them, to make up the time lost whilst absent from Service, that One half of their pay be stopped, that at the end of their respective service, they have one half of the hair of the head shaved off close, and then drummed out of Camp - But from the Youth & inexperience of Arnold & Hobdy, The Court beg leave to recommend them to the Commanding Genl. for a remission of the Sentence

The Court adjourned until tomorrow 9 OClock

The Court met pursuant to adjournment Present the President and Members and after being qualified

in presence of the prisoners who having been previously asked if they had any objections to any of the members of the Court and answering negatively proceeded to the trial of ___

Sergeant James Nelson, Joseph Routon, A Whitton and Robert B. Roberts privates of Capt. Mebanes Compy.

Charge Mutiny

Spec. in this that on the morning of the 19th Sept. 1814 they forcibly took beef and flour of the Contractors Agent M. J. Hogland at Fort Jackson received their proportionable part and on the morning of the 20th. at the end of Revelee marched off with the mutinous party

To which the Prisoners plead not Guilty ___

Lt. John J. Cooksey a witness in behalf of the prosecution being sworn states that the prisoners marched off with the mutinous party on the 20th Septr. 1814

Thomas Dunaway a private of Capt. Mebanes Compy a witness in behalf of the prosecution being sworn states that he was with the Prisoner Routon when the flour was taken from the Contractors agent knows he did not take any and believes none of the others did that Routon and Whitton belonged to the same Mess - believes they received their proportionable part of the provisions thus forcibly taken and is under the impression the prisoners marched off with the mutinous party at the end of Revellee Beat on the morning of the 20 Sept. 1814.

John Hickman a private of Capt. Mebanes Compy.

John Hickman a Private of Capt. Mebanes Compy a witness in behalf of the prosecution being sworn states that the Prisoners did receive their proportionable parts of the Provisions taken from the Contractors Agent on the 2d Apl. 1814 —

The prisoners having refused the priviledge of producing any testemony in their behalf made the following defence that from the best information they could get with the persuasion of men who ought to have known better they supposed their term of Service had expired and were consequently induced to leave the service of their Country, erred through ignorance regret their misconduct and implore the Mercy of this Court

The Court After due Consideration find the Prisoners Guilty as charged, and Sentence them
" to remunerate the Government for the time lost,
" by their absence from duty, a stoppage of
" one third their pay, and at the experation of
" their time of service, to have one half the hair
" of the head, shaved close off, and then drum
" =med out of Camp —

The Court having been qualified in presence of the Prisoners arraigned on the following Charges and Specifications who being previously asked if they had any Objection to any of the Members of the Court and having answered negatively proceeded to the trial of Obadiah McBey a private of Capt. Strothers Compy

Jeremiah Dennis and James Blythe of Capt. Mebanes Compy.

Charge 1st Desertion

Spec. In this that on the night of the 19th Sept. 1814 — between Six Oclock in the evening and Six of the Morning of the 20th they did desert from their Posts on guard

Charge 2nd Mutiny

Spec. In this that on the morning of the 19th Sept. 1814 they received their proportionable part of the Beef and flour that was forcibly taken from the Contractors agent at Fort Jackson M. J. Hoagland and on the morning of the 20th at the end of Reveillee beat marched off with the Mutinous party

To which charges and Specifications the prisoners plead Guilty — And state in extenuation that they had performed their duty as good Centinels on Guard on 19th Sept. with the exception of being regularly relieved the next morning, from the most correct information they could procure were impressed with the belief that their time of Service had expired (and under this impression McBey delivered up his Gun and accoutrements and received a receipt for them, they acted incorrectly through ignorance and implore the Clemency of the Court

The Court after due Consideration find the prisoners Guilty as charged, and Sentence them to make up the time lost whilst

"absent from duty, that the one half of their
"pay, be stopped, that at the end of their respec
"tive service, shall have one half of the hair
"of the head, shaved off close, and then drum
"=med out of Camp.

The Court adjourned until tomorrow morning 9 O'Clock

The Court met pursuant to adjournment present the President and Members and having been qualified in presence of the prisoners who being previously asked if they had any objections to any of the members of the Court and answering negatively proceeded to the trial of the following Prisoners

Privates John Banfield, Major Hedspeath Coleman Nicholas (fifer) Thomas Dunaway, John Manning, James L. Arnold, John Patterson, Thomas Wood, Edward Easters - Bethlehem Easters, Basdal Sommers, Thomas Hall, John Williams, Thomas Brandon, John Hampton Jacob Bennett William Quinn, John Earby, John L Herringdon, Stephen Blythe John Kelly John Jones, Wm Jones. Aquilla Night Harmon Reding, John Wright Robinson Wright Thomas Ashley John Cross, James andrews, Drury Hall, John Hickman Wm Pate James Grissom, Thomas Lumbley - (Corpls) John Webb, George Cohee James Gumbrell, Robert Kilbuck, John Morgan (Drummer) Armstead H Morgan Anderson S Britte, Elisha McFall, Edmond Black - Daniel Rake, Lewis Fletcher Edward Johnson, Francis Company, Green B Newsom, Gideon Harris, Hardy Weems

John Green, John Watkins James Green, John Olphin — Jonathan Batts, James Rose — John Whetworth John H Read, John Benham, Moses Age, Robert Kilgore, Smith Hampton Thomas L Long, Thomas Wolsey, Thomas Perry, Wm. Mimms, Wm Grimes, Wm Long, Wm. Weakley, Wm Robinson Thomas Graves, Needum B Farrior, Saml. Gibbs, Timothy Millyard, Willis Richardson Wilson Davis, Thomas Davis Hobson Talley, Morgan Jones Robert White, Elijah Tucker Cornelius McKinsey John Ledbetter, John Wilson Washington Ledbetter Stephen Shephard Wesley Cowan Saml. Bowman James G. Harris, Anderson Griffith (Corpl) William Chisholm, Neevit ~~Lavit~~, Frederick Rowland — Danl. Richardson John Lingins Dempsey Sawyer — Isaac Richmond, Wm L Jennison (Corpl) Silvanus Walker, John Walker, Asa Walker, Wm Bryant, Edward Pickett Terrell Guess, James Denson Benja Bush, Wm. Walsh John Lee, Bennett Seagraves John L Rushing George Haines John Alsop Daniel Wyatt, Solomon Wyatt Thomas Dunn John ~~Hanning~~ Henning Thomas Pace & David A Welsh 120

Charge Mutiny

Specn. In receiving their proportionable part of flour and meat taken from the Contractors agent on the 19th Sepr. 1814 and marching off with the mutinous party from Fort Jackson on the 20th Sept. 1814.

To which charges and specifications the prisoners

U

Unanimously plead Guilty — and State in their Defence that from the best Intelligence they could procure with the Opinion of men of Respectability & information they were credulous enough to suppose they were bound by no law to continue in service longer than three Months, they were actuated by the purest motives in leaving the Service of their Country erred through ignorance — sincerely lament such improper Conduct and throw themselves on the Mercy of the Court.

The Court After due Consideration find the prisoners — Guilty except Frederick Rowland who they — find not Guilty and acquit him; the balance — they sentence to make good the time lost — when absent from duty, that the one third — of their pay be stopped, that at the end — of their respective service, they shall have — one half of the hair of the head shaved — close off, and then drummed out of — Camp — But from the youth & inexperience — of Thomas Cook, Jn. Manning, Edmund P. Black, — Hopson Tally, James G. Harris, & William Welsh — beg leave to recommend them to the Commanding — General for a remission of the Sentence.

The Court after having been qualified in presence of the prisoner Arraigned on the annexed Charges and Specifications who being previously asked if he had

any objections to any of the members of the Court and answering in the negative proceeded to the trial of

Nathan Johnston (a drummer) of Capt. Newlands Compy

Charge 1st Exciting to Mutiny

Specn. In this sending a letter between the 1st. August 1814 and 20th. Sepr. 1814 to the soldiers at Fort Strother — encouraging them to go home on the 20th Sepr. and stating he intended doing the same —

Charge 2nd. Mutiny

Specn. In this that on the morning of the 20th Sept. he together with a number of others did march off — without permission from Fort Williams

To which Charges and Specifications the prisoner plead not Guilty

Godfry Rutts a private of Capt. Mebanes Compy a witness in behalf of the prosecution being sworn states that the Prisoner was at Fort Williams on the 21st. Sept. 1814 and believes none who went off previous returned by that time

Nathaniel Caldwell a Sergeant of Capt. Newlands Company a witness in behalf of the prosecution being sworn states that the prisoner intended going home on 20th. Sept. 1814 but believes he did not leave Fort William on that day —

Isom Wood a private of Capt. Blackmores Company a witness in behalf of the prosecution being sworn states

that a letter was received at Fort ~~Williams~~ Strother signed by Nathan Johnston as well as he recollects encouraging the men to go home on the 20th. Sepr. 1814 and believes the author of the letter stated he intended doing the same

Lieut. Dicken Ward a witness in behalf of the prosecution being sworn states that he saw a letter at Fort Strother between 1st. of August and 20th. Sept. 1814 which had been received from Fort Williams signed by Nathan Johnston encouraging the men to be in a state of readiness to go home on the 20th. Sepr. 1814 as he and others at Fort Williams intended doing the same but is not certain that the prisoner was the Writer of the letter —

Ensign James H. Williams a witness in behalf of the prosecution being sworn states that the prisoner was attached to the same Company he was is uncertain what day of Septr. the prisoner left Fort Williams and that he knew no other man of that name at that Garrison

The prisoner having refused the priveledge of producing any testimony in his defence submits his case to the decision of the Court

The Court after due Consideration find the
" prisoner Guilty of the first charge, and latter clause
" of the first specification, and Sentence him
" to a Stoppage of one third his pay, and at the
" expiration of his term of service to have one half
" of the hair of the head shaved off close & drummed

"out of Camp—

The Court adjourned until tomorrow 9 OClock

The Court met pursuant to adjournment Present the president and Members before the prisoners arraigned on the annexed charges and Specifications who being previously asked if they had any objection to any of the Members of the Court and having answered negatively proceeded to the trial of

Archibald Hair, Isaac Williams, George Joy, Wm Pratt Jesse Pearce James Wrens, Robert Dyer, David Brown, John Strong John Neuly, Cannon Quarls, Sam: S. Barrette, Blake Maldin Godfry Rats Lewis Harmon, Wm. Pew, Peter Johnston John Windows, Danl Hughes, James Tose James Maxwell, Wm. Scribner Thomas Turner John Farris, Joshua Edwards Wm Powell (Corpl.) Elisha Phelps and John Warnock —

Charge Mutiny

Specn. In this that between the 19th and 21th Sepr. 1814 they marched off from Fort Williams with the mutinous party

— To which the Prisoners plead guilty — and state in extenuation of their conduct and from the best information they could procure they were induced to believe there was no law binding Militia to continue in service longer than three months, their tour of duty had legally expired — Acted improperly

through ignorance - sincerely lament the disgraceful act and implore the mercy of the Court

The Court after due Consideration find the prisoners Guilty, and sentence them to remunerate the United States for the time lost whilst absent from duty, to a stoppage of one third their pay, and at the expiration of their respective term of service, to have one half of the hair of the head shaved off close and to be drummed out of Camp —

The Court having been qualified in presence of the prisoners arraigned on the following charge and Specification who being previously asked if they had any Objection to any of the members of the Court and having answered negatively proceeded to the trial of Emmon Hays, Wm Deninng, Joshua Lovell, Henry Woodward, Saml Wyatt, Joseph Ristole, Edmund Isom, Isom Wood, Edward Burchett, David Buckhannan John Davis, Everett Creach, Moses Elliotte, Wm Logan and Archless Wells —

Charge Mutiny

Specn In this that between the 19th and 21th Sepr 1814 they went off from Fort Strother with the mutinous party To which the prisoners plead Guilty &

state in their defence that from the best information
they could procure with the Opinion of men of respectability
and information were induced to believe there was no
law binding Militia to serve longer than three months
that they were actuated by the purest motives in
leaving the Service of their Country, earnestly deplore
the disgraceful Act, committed through erroneous—
impressions and implore the Mercy of the Court—

The Court after due Consideration find
the Prisoners Guilty, and sentence them to remu-
-nerate the United States, for the time lost while
absent from duty, to a Stoppage of one third
their pay, at the expiration of their respective
service, to have one half of the hair of the head
shaved off close, and be drummed out of camp.—
But from the youth and inexperience of Edward
Burchett and extreme ignorance of John Davis,
beg leave to recommend them to the Commanding
General for a remission of the sentence.

The Court adjourned until tomorrow 11 O Clock

The Court met pursuant to adjournment present
the President and Members and no persons
appearing before them for Trial. Adjourned
until Tomorrow 9 O Clock

The Court met pursuant to Adjournment Present the President and Members and being qualified in presence of the Accused who being previously asked if he had any Objection to any of the Members of the Court and having answered negatively — proceeded to the trial of Capt. A, Roberts of the Mississippi Militia in the service of the United States arraigned on the following Charges and Specifications

Charge 1st. Conduct unbecoming an Officer and Gentleman

Specn. 1st. In being repeatedly intoxicated in the presence of both Officers and men at Fort Montgomery between 15th. Septr. & 15th. Decr. 1814

Specn. 2nd. In forcibly taking a boat from a Citizen and detaining it without his Consent and refusing when requested to give the Vouchers Required by law at Fort Stoddart sometime between 15th. Septr. and 15th. decr. 1814.

Charge 2nd. Conduct highly Unmilitary and Unbecoming an Officer

Specn. 1. In seizing or detaining at Camp Boat Yard sometime between the 15th. Sepr. and 15th. Decr. 1814 a Boat employed by the Q. M. Genl. Department for the transportation of forage for the Troops in and near this place, thus Jeopardising

the very existence of the Army, preventing its necessary and expected Supplies - To which the prisoner plead not Guilty

Lt. Col. P. Perkins a witness in behalf of the prose=cution being sworn states that he has seen the accused more than once intoxicated in presence of both officers and men at Fort Montgomery between 15th Sept. and 15th Dec. 1814

Question by the accused Was it ever reported to you that I was too much intoxicated to discharge my duty —

Answer It was reported to me that you were confined to your Tent by intoxication but saw nothing of the kind myself

Capt. William Johnston a witness in behalf of the prosecution being sworn states that he saw the accused once intoxicated in presence of both officers and men when officer of the day between 15 Sept. and 15 Dec. 1814 at Fort Montgomery Sometime between 15 Sept. and 15 Dec. 1814 at Fort Stoddart he took and detained a boat from a Citizen and refused to give a certificate or such Vouchers as is required by law but afterwards understood the accused had delivered her up to the owner — At Camp Boat Yard the Accus. had in his possession a boat, that the Com=mander of the Boat stated that he was —

Ordered after Corn, that the Boat was not restored but an order was given by Capt. Roberts for the Soldiers to go on board and proceed to Mobile

Lt. J. H. Moore a witness in behalf of the prosecution being sworn States that on the 8th decr. he recieved an order from Genl. Taylor to procure Water Transportation for the Baggage of Col. Perkins Regt. Boats were accordingly provided, After which a boat belonging to the Q. M. Genls. Department at camp Boat Yard was pressed by the Order of the Accused, altho an Order had been issued by the Genl. to the Contrary and that it would not be given up ~~altho~~ even were he to appear in person — That at Fort Stoddart on the 12th decemr. he understood an Order had been given by the Accused to his Command to collect all the boats to be found — After one was taken possession of it was claimed by a Citizen and delivered up,

Sergeant Adam Pool a witness in behalf of the defts. being sworn states that a Boat in the possession of Capt. Roberts Command at Fort Stoddart between 15 Sepr. & 15 Decr. 1814 was claimed by a Citizen and the Accused said he would give him a receipt for her at Mobile or somewhere down the River — That an order came from Genl. Taylor

concerning a boat at Camp Boat Yard belonging to the Q. M. Generals Department when some person observed that the order was incorrect as the Boat had been taken before as he understood by some other person ~~and not~~ Capt. Roberts —

Geo: Graham a witness in behalf of the Defend. being sworn states that he never knew the accused guilty of repeated intoxication, that he once saw him in that situation and believes it was the day he left the Boat-Yard, – That a boat of which Everie was Capt was taken possession of at the Boat Yard either by order of the Accused or the Regimental Quarter Master and the Baggage put on board of her while the owner or Commander was absent at Fort Montgomery, it was detained there until an order was brought from the General (without any date) directing the Boat to be given up to the Owner when the Regt. Qmaster asked the Accused what he intended doing, when he ordered the men on board, to put off and afterwards said he would be a pretty fool to obey an order without any date, and further States that he believes the Accused had returned from Fort Montgomery before the Baggage was placed on board of the Boat

Isaac N Selser a witness in behalf

Bes
of the defendant being sworn states that he has seen the Accused more than once unusually merry which he believed to be the effect of intoxication. Sometime between 15 Sept. & 15 Decr. 1814 at Camp Boat Yard he heard the Accused ask the Regimental Quarter Master to press more boats to transport the Troops as well as baggage to which the Q. Master replied that he had already pressed a sufficient number for the transportation of the Baggage and if any more were taken it would be at his own Risque and Responsibility

Question by the Accused Was it not to press ~~transport Boats~~ to transport the troops to old Fort Stoddart when this answer was made me by the Regimental Quarter master

Answer I do not recollect

Capt. Roberts states in his defence that he supposed drinking to be merry was not amiss, but being apprehensive it might be considered so discontinued the practise, that he took a boat agreeably to the verbal Order of Genl. Taylor from the Boat Yard to transport the troops to Fort Stoddart as the Cut Off was then considered impassible and returned them again of which the Quarter Master

Genl's boat was not One, that Quarter Master Moore was ordered to furnish Water transportation for the Baggage of Col. Perkins's Regiment, he directed the Quarter Master Moore to press legally the Q.M. Generals boat and he informed him had done so, from which he was induced to believe no further difficulty would arise, - As respects the little Boat at Fort Stoddart she would not have been taken had he not been informed they were drifted boats and belonged to no person in the vicinity of that place but after it was claimed by a Citizen who said he was the proper Owner, it was delivered up to him

The Court after due Consideration find the accused Guilty of the first and second charges, first Specification of the first charges, first of the second charge but not guilty of the second specification of the first charge, and Sentence him to be dismissed the service of the United States —

The Court having been qualified in presence of the prisoner who being previously asked if he had

any Objection to any of the Court and having answered negatively proceeded to the trial of John Roarke a Citizen and no prosecutor or charges appearing against the prisoner

acquit him—

The Court adjourned until tomorrow 9 oClock

The Court met pursuant to Adjournment present the President and Members and no prisoners appearing before them for trial adjourned sine die

W. L. Roberson Lt
3d Infantry &
Judge Advocate
pro, tem.—

[illegible] Lt Col
President of Court

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28
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